

SHEARSON HAUGHTON vs JA-CO FOODS, INC.
Shearson Gabrielle Haughton Sims on 11/15/2021

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

SHEARSON HAUGHTON PLAINTIFF

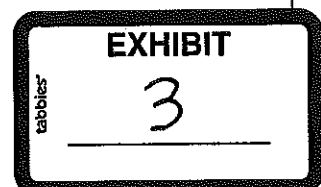
VS. CIVIL ACTION NO. 1:20-cv-241-SA-DAS

JA-CO FOODS, INC. d/b/a SONIC DRIVE-INS DEFENDANT

DEPOSITION OF SHEARSON GABRIELLE HAUGHTON SIMS

TAKEN AT THE INSTANCE OF THE DEFENDANT
AT THE MONROE COUNTY CIRCUIT COURT
301 SOUTH CHESTNUT STREET, ABERDEEN, MISSISSIPPI
ON NOVEMBER 15, 2021, BEGINNING AT 9:08 A.M.

GENA MATTISON GLENN, CSR 1568



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1	APPEARANCES:	1	SHEARSON GABRIELLE HAUGHTON SIMS,
2	THE STUTZMAN LAW FIRM	2	being first duly sworn, was examined
3	106 Luckney Station Road, Suite B	3	and testified under oath as follows:
4	Flowood, MS 39232	4	
5	For the Plaintiff	5	EXAMINATION
6	BY: RONALD E. STUTZMAN	6	BY MS. TAYLOR:
7		7	Q. Ms. Haughton, my name is Robin Taylor,
8	BUTLER SNOW LLP	8	and we've just met right before the deposition;
9	P.O. Box 6010	9	is that correct?
10	Ridgeland, MS 39157-6010	10	A. Yes, ma'am.
11	For the Defendant	11	Q. Okay. Can you please state your full
12	BY: ROBIN BANCK TAYLOR	12	name for the record?
13		13	A. Shearson Gabrielle Haughton Sims.
14		14	Q. And do you go by Shearson?
15		15	A. Yes, ma'am, or Gabrielle.
16		16	Q. Say it again?
17		17	A. Shearson or Gabrielle.
18		18	Q. Okay. Gabrielle? And what is your
19		19	date of birth?
20		20	A. [REDACTED]
21		21	Q. Okay. And where are you from?
22		22	A. Aberdeen.
23		23	Q. Have you been born and raised here?
24		24	A. Yes, ma'am.
25	Reported by: GENA MATTISON GLENN, CSR 1568	25	Q. Okay. Is it okay if I call you
Page 3		Page 5	
1	TABLE OF CONTENTS	1	Shearston [sic]?
2	WITNESS	2	A. Yes, ma'am.
3	SHEARSON GABRIELLE HAUGHTON SIMS	3	Q. Okay. So, Shearston, have you ever
4	Examination by Ms. Robin Banck Taylor	4	had your deposition taken before?
5		5	A. No, ma'am.
6	EXHIBIT	6	Q. Okay. Have you ever testified in
7	NO. DESCRIPTION PAGE	7	court?
8	1 Plaintiff's Responses to Defendant's First	8	A. No, ma'am.
9	Set of Interrogatories and Requests for	9	Q. Okay. So what's going to happen today
10	Production of Documents 22	10	is -- obviously you've been sworn to tell the
11	2 Plaintiff's Supplemental and Restated	11	truth under penalty of perjury.
12	Responses to Defendant's First Set of	12	A. Uh-huh.
13	Interrogatories and Requests for	13	Q. I am going to ask you questions during
14	Production of Documents 33	14	the deposition. If you understand the question
15	3 11-1-13 Associate Discipline Record 72	15	I ask, you can answer it. If I ask a bad
16	4 1-12-14 Associate Discipline Record 74	16	question and you don't understand what I'm
17	5 1-30-14 Associate Discipline Record 78	17	asking, let me know. I'll try to rephrase it in
18	6 1-31-14 Associate Discipline Record 79	18	a way that you can understand it. Is that okay?
19	7 2-2-14 Associate Discipline Record 81	19	A. Okay.
20	8 2-17-14 Employee Statements 82	20	Q. Does that sound fair?
21	9 New Hire Form 98	21	A. Yes, ma'am.
22	10 Employee Acknowledgement 98	22	Q. Okay. And you'll let me know if you
23	11 Aberdeen PD Facts & Circumstances Form 145	23	don't understand my question?
24	12 EEOC Charge of Discrimination 190	24	A. Yes, ma'am.
25	13 First Amended Complaint 192	25	Q. Okay. Wonderful. Have you had any
	14 Bent 203		

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<p>1 medication within the last week?</p> <p>2 A. Allergy medicine for my allergies.</p> <p>3 Q. Okay. Do you have seasonal allergies?</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. What allergy medication have you had?</p> <p>6 A. A Benadryl.</p> <p>7 Q. All right. You haven't had any</p> <p>8 medication that would impact your ability to</p> <p>9 testify truthfully today; is that correct?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. Now, during the deposition --</p> <p>12 and I told Craig. I'm not sure if Ronnie and I</p> <p>13 have had a conversation about it. I typically</p> <p>14 take a while for a deposition. And so during</p> <p>15 the day, if you need to take a break for any</p> <p>16 reason, just let me know.</p> <p>17 A. Okay.</p> <p>18 Q. It's not a marathon so, you know, just</p> <p>19 let me know. I'll ask that we kind of finish</p> <p>20 the line of questioning that we have and then we</p> <p>21 can take a break. Okay?</p> <p>22 A. Okay.</p> <p>23 Q. Sometimes I can lose track of time and</p> <p>24 I may continue on. I'd like for you to be able</p> <p>25 to take a break about every hour. So, you know,</p>	<p>1 a single-family home or do you live in an</p> <p>2 apartment? What is your --</p> <p>3 A. It's an apartment house.</p> <p>4 Q. Who lives with you there?</p> <p>5 A. My husband and our four children.</p> <p>6 Q. Okay. How long have you been married</p> <p>7 to your husband?</p> <p>8 A. 12 and a half years.</p> <p>9 Q. And how old are your children?</p> <p>10 A. [REDACTED]</p> <p>11 Q. Let's start with the [REDACTED]</p> <p>12 What is his name or is it a girl?</p> <p>13 A. [REDACTED]</p> <p>14 Q. Where does he go to school?</p> <p>15 A. He's homeschooled.</p> <p>16 Q. Homeschooled?</p> <p>17 A. All my children are homeschooled.</p> <p>18 Q. What grade is he in?</p> <p>19 A. He's in the 9th.</p> <p>20 Q. 9th grade. What curriculum do you use</p> <p>21 to homeschool?</p> <p>22 A. Discovery K12, Khan Academy, and books</p> <p>23 and stuff I order for them.</p> <p>24 Q. How long have you homeschooled</p> <p>25 children?</p>
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<p>1 if you feel like we've been at it for a while</p> <p>2 and you want to breathe for a little bit and</p> <p>3 step out, walk around, that's fine with me as</p> <p>4 well. Okay?</p> <p>5 A. Okay.</p> <p>6 Q. All right. Can you think of any</p> <p>7 reason why you could not testify truthfully</p> <p>8 today?</p> <p>9 A. No, ma'am.</p> <p>10 Q. Okay. And would you agree that you</p> <p>11 can recall events clearer or better closer in</p> <p>12 time to the event than you can, perhaps, several</p> <p>13 years later?</p> <p>14 A. That's true.</p> <p>15 Q. Okay. Where do you live now?</p> <p>16 A. Aberdeen. The street address?</p> <p>17 Q. Yes, ma'am.</p> <p>18 A. 862 Clay Street.</p> <p>19 Q. And how long have you lived there?</p> <p>20 A. For three years.</p> <p>21 Q. Three years. And where did you live</p> <p>22 before that?</p> <p>23 A. I lived at 303 South Meridian Street</p> <p>24 before that?</p> <p>25 Q. Is your Clay Street -- do you live in</p>	<p>1 A. For about five years, give or take.</p> <p>2 Q. Okay. You've homeschooled all of your</p> <p>3 children for five years?</p> <p>4 A. Yes.</p> <p>5 Q. [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 A. [REDACTED]</p> <p>8 Q. [REDACTED]?</p> <p>9 A. [REDACTED]</p> <p>10 Q. [REDACTED]</p> <p>11 A. She's in the 5th.</p> <p>12 Q. [REDACTED] or a</p> <p>13 [REDACTED]</p> <p>14 A. [REDACTED]</p> <p>15 Q. [REDACTED]e?</p> <p>16 A. [REDACTED]</p> <p>17 Q. And is she in school?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 A. He's not in school.</p> <p>22 Q. Of course he's not. What's his name?</p> <p>23 A. Oh, I'm sorry.</p> <p>24 Q. No, that's quite all right.</p> <p>25 A. [REDACTED]</p>

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1	Q. You don't have any other children?	1	Q. Okay. Okay. And tell me kind of what
2	A. No.	2	your typical day is with homeschooling your
3	Q. Okay. What is your husband's name?	3	children.
4	A. Curtis Sims, Sr.	4	A. Normally we eat breakfast. And we do
5	Q. Is he from Aberdeen as well?	5	work, take a break, do more work. And we --
6	A. Yes, ma'am.	6	sometimes we play games with the work. And we
7	Q. Okay. What does he do for a living?	7	read to each other.
8	A. He work at True Temper.	8	Q. Okay. And about what time does your
9	Q. Where?	9	day begin?
10	A. True Temper.	10	A. We normally just start around 10:00 or
11	Q. What is that? What is that place?	11	11:00.
12	A. It's a company that make golf clubs	12	Q. Okay. And about what time do y'all
13	and shafts.	13	finish schooling?
14	Q. Okay. Where is it located?	14	A. It just varies.
15	A. In Amory.	15	Q. What's your typical day that you end
16	Q. How long has he worked for them?	16	your schooling?
17	A. He's been there a year.	17	A. Normally around 4:00 we be done.
18	Q. What does he do there?	18	Q. Okay. Where did your husband work
19	A. He run the things through the machine	19	before he worked for the -- you said True
20	or something.	20	Temper?
21	Q. Okay. He's a machine operator?	21	A. He worked at a furniture factory in
22	A. Yes.	22	Wren, Lane Furniture.
23	Q. And do you know how much -- is he paid	23	Q. I'm familiar with that. And how long
24	hourly?	24	did he work there?
25	A. 22.	25	A. He was there over a year.
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1	Q. 20 --	1	Q. And do you know why he left?
2	A. Plus production.	2	A. COVID. He told them that he came in
3	Q. Okay. So that's \$22 an hour?	3	contact with -- he went to Food Giant, and they
4	A. Yes.	4	said to self-quarantine, so he did it. They
5	Q. Okay. Does he usually work 40 hours a	5	fired him.
6	week?	6	Q. Okay. Where did he work before that?
7	A. Yes.	7	A. He was at NauticStar. Boats.
8	Q. Okay. And do you -- do you homeschool	8	Q. And how long did he work there?
9	your four children yourself?	9	A. He worked there a long time. Years.
10	A. Yes.	10	Q. And why did he leave?
11	Q. Okay. So you would be considered	11	A. Because I was having to go to the
12	their teacher?	12	doctor and, well, take our children to the
13	A. Yes.	13	doctor and stuff, and he basically pointed out.
14	Q. Okay. And you've done that for five	14	Q. Okay. Okay.
15	years?	15	A. Because I don't drive.
16	A. Yes.	16	Q. Oh, you don't drive a vehicle?
17	Q. Are your children involved in any	17	A. No, ma'am.
18	extracurricular activities or sports?	18	Q. Have you ever driven?
19	A. No.	19	A. No, ma'am.
20	Q. I would think that homeschooling four	20	Q. Okay. Is there a reason why you don't
21	children would be a full-time job.	21	drive?
22	A. It's actually -- they enjoy it, you	22	A. I just don't drive. I don't -- it's
23	know.	23	not a reason. I just don't drive.
24	Q. Yeah.	24	Q. Just never learned?
25	A. They enjoy -- they like to learn.	25	A. No.

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1 Q. Okay. Well, I was 17 before I got my	1 Q. Okay. Is it over a hundred?
2 driver's license, so -- and I think if I could	2 A. I really don't know because -- I don't
3 find people to drive me places, I would do that	3 know.
4 all the time. So I do understand.	4 Q. Okay. Do you typically pay the
5 Other than your four children and your	5 household bills, or is that something your
6 husband, does anyone else live with y'all?	6 husband does?
7 A. No. That's all.	7 A. He does it.
8 Q. During COVID did you receive any of	8 Q. Okay. What about your internet? Do
9 the COVID unemployment insurance or --	9 you know how much that is?
10 A. My husband did.	10 A. I know it's over a hundred.
11 Q. Husband did?	11 Q. Okay. And your phone?
12 A. Uh-huh.	12 A. Well, we have internet and phone, and
13 Q. About how much was that a week?	13 then we have our cell phones as well.
14 A. It was 600 a week.	14 Q. Okay. You have a -- you have a
15 Q. Okay. And about how long did he	15 landline?
16 receive that for?	16 A. Yes.
17 A. I hate to guess because I really -- I	17 Q. Okay. And what is your cell bill
18 really can't remember. I don't know. I don't	18 typically a month?
19 know how long. I can't remember how long it	19 A. Right at 40. Mine's right at 40.
20 was. I know he started in April, I want to say.	20 Q. Okay. That's pretty fantastic for a
21 And I think -- I don't know when it ended.	21 cell phone bill. It's ridiculous how much they
22 Q. Okay. And what are your household	22 typically are.
23 bills in your home?	23 Now, I understand that you had a child
24 A. Car payment, house payment, light	24 that was born with a heart condition; is that
25 bill, gas bill, and internet, phone bill.	25 correct?
Page 15	Page 17
1 Q. Is that pretty much it?	1 A. Yes, ma'am.
2 A. Yes.	2 Q. And which child is that?
3 Q. Okay. How much is your car payment?	3 A. My baby.
4 A. It's 461 a month.	4 Q. It's your --
5 Q. Okay. That's for your husband's	5 A. 11-month-old.
6 vehicle?	6 Q. Okay. And how is he doing?
7 A. It's ours but he drives.	7 A. He's doing much better.
8 Q. Okay. And what kind of vehicle is it?	8 Q. Okay. And you had indicated that he
9 A. It's a Acura MDX.	9 needed to have some type of a procedure done?
10 Q. What year?	10 A. Yes. He had heart surgery February
11 A. I think it's a 2016.	11 the 15th.
12 Q. Okay. And about how much is your	12 Q. Of '21?
13 house payment?	13 A. Yes, ma'am.
14 A. It's 462.	14 Q. Okay. And what was his heart
15 Q. Okay. What about your light bill?	15 condition?
16 A. It varies.	16 A. TAPVR.
17 Q. What's about the highest it usually is	17 Q. And what was the heart surgery he had?
18 during the summer?	18 A. They -- it's TAPV repair. That's all
19 A. 200 -- a little over 200, I want to	19 I know.
20 say.	20 Q. Okay. Has he continued to have
21 Q. Okay. What about your gas bill?	21 regular doctors' appointments related to the
22 A. It varies.	22 heart surgery or heart condition?
23 Q. If you could give an average of what	23 A. Well, his last one was August.
24 it is?	24 Q. When is his next one scheduled?
25 A. I don't know.	25 A. February.

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1 Q. Does he need any, like, maybe physical	1 A. Fatima Haughton. Benjamin Haughton.
2 therapy or some type of a regular care related	2 Stephanie Haughton. Dassana Haughton. I'm
3 to his heart condition?	3 sorry. That's Stephanie Haughton Griffin. It's
4 A. Not anymore.	4 Griffin. She's married.
5 Q. Okay. Do you anticipate that he will	5 Q. Okay.
6 be able to develop typically as a child would --	6 A. And then it's Darius Haughton. And
7 A. Yes.	7 the last one is Aaliyah Haughton.
8 Q. -- or will he need any further	8 Q. Do you have any -- are those all of
9 treatment in the future?	9 your siblings?
10 A. No. He won't need any further	10 A. On my mother's side.
11 treatment.	11 Q. Okay. And what about on your father's
12 Q. Okay. That's wonderful news.	12 side?
13 A. Uh-huh. A blessing.	13 A. Cora McPherson, Jhorace McPherson, and
14 Q. Yeah. Do you -- do you attend church?	14 Daisie McPherson.
15 A. We do church at home.	15 Q. Okay. What about aunts and uncles?
16 Q. Okay. And what church do y'all do at	16 A. I don't have any uncles on my -- on
17 home?	17 either side that live here.
18 A. We worship the Sabbath.	18 Q. Okay. Where do they live?
19 Q. Okay. And what do you mean by that,	19 A. Four of them died. The other one live
20 Sabbath?	20 in Virginia.
21 A. On Saturday -- we have church on	21 Q. Okay. Okay. And are your parents
22 Saturday. Like, normally people will have	22 still alive?
23 church on Sunday?	23 A. Yes.
24 Q. Uh-huh.	24 Q. What is your mother's name?
25 A. We have church on Saturday.	25 A. Minerva Haughton.
Page 19	Page 21
1 Q. Okay. And do you attend a church or	1 Q. And what about your father?
2 is it only church at home?	2 A. David McPherson.
3 A. Just church at home.	3 Q. And do they live in Aberdeen?
4 Q. Okay. Is there a certain denomination	4 A. I think my daddy still live in
5 that you're affiliated with?	5 Aberdeen.
6 A. Nondenominational [sic].	6 Q. Okay. Are you not close with your
7 Q. Nondenominational? I'm assuming, if	7 dad?
8 you are from Aberdeen, that you have a number of	8 A. We are. It just I haven't seen him in
9 relatives that live in the Aberdeen area?	9 a while.
10 A. Yes.	10 Q. Okay. Does your mother live in
11 Q. Okay. And typically -- and I'll tell	11 Aberdeen?
12 you why we ask this. It's just when we go	12 A. Yes.
13 through the process of selecting a jury --	13 Q. Okay. What about your husband's
14 A. Uh-huh.	14 siblings?
15 Q. -- we'll want to know who your	15 A. One of his brothers stay in Seattle.
16 relatives are so that we can understand if	16 And the other one, he's in Aberdeen. His name
17 you're related to any of the members of the jury	17 Byron Sims.
18 or the potential members of the jury. So if you	18 Q. Does he have any aunts and uncles?
19 could just quickly kind of -- for both you and	19 A. He has a great aunt, Emma Griffin.
20 your husband, just give me a brief synopsis of	20 His uncle, Andre Payne, he stays in Tupelo.
21 what your family tree is of your living	21 Q. Are his parents still alive?
22 relatives. We can start with your siblings.	22 A. Yes.
23 A. Oh, my -- you want to know their	23 Q. Okay. And what are their names?
24 names?	24 A. Debra Sims is his mother. And his
25 Q. Yes, ma'am.	25 father is named Walter Curtis. He don't live

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<p>1 here.</p> <p>2 Q. Okay. Where does he live?</p> <p>3 A. Chicago.</p> <p>4 Q. Okay. Okay. So what did you do to</p> <p>5 prepare for your deposition?</p> <p>6 A. What did I do to prepare?</p> <p>7 Q. To prepare to be here today.</p> <p>8 A. I went over notes.</p> <p>9 Q. And what notes did you go over?</p> <p>10 A. Notes that were sent to me.</p> <p>11 MR. STUTZMAN: The discovery</p> <p>12 responses.</p> <p>13 MS. TAYLOR: I see. Okay. Okay. So</p> <p>14 just to -- let me go ahead and mark this.</p> <p>15 This is going to be challenging.</p> <p>16</p> <p>17 - - - - -</p> <p>18 (Exhibit Number 1 marked.)</p> <p>19 BY MS. TAYLOR:</p> <p>20 Q. Ms. Haughton, is this what you</p> <p>21 reviewed?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. Did you review anything else in</p> <p>24 preparing for your deposition?</p> <p>25 A. This is -- it's a pretty much all</p>	<p>1 Q. Yes, ma'am.</p> <p>2 A. Yes, I did.</p> <p>3 Q. Okay. Okay. And as you sit here</p> <p>4 today, you believe that they're accurate?</p> <p>5 A. As far as I -- the best of my ability,</p> <p>6 you know, as accurate as I could remember.</p> <p>7 Q. Okay. Okay. Now, where did -- where</p> <p>8 have you gone to school as far as you know, did</p> <p>9 you graduate from high school?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And where did you graduate</p> <p>12 from?</p> <p>13 A. Aberdeen High School.</p> <p>14 Q. Okay. And when did you graduate?</p> <p>15 A. 2007.</p> <p>16 Q. Have you attended any technical</p> <p>17 school, community college, or college after</p> <p>18 graduating from high school?</p> <p>19 A. Itawamba, but I didn't finish.</p> <p>20 Q. Okay. How long did you attend?</p> <p>21 A. It was only a few months.</p> <p>22 Q. Okay. And that's a community college?</p> <p>23 A. Yes.</p> <p>24 Q. What were you studying?</p> <p>25 A. Early childhood education.</p>
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<p>1 besides of a sheet that I was sent to -- you</p> <p>2 know.</p> <p>3 Q. Okay. Okay. And I don't want to know</p> <p>4 what you -- like, if your attorney gave you a</p> <p>5 certain sheet to give you instructions on</p> <p>6 depositions or something along those lines, but</p> <p>7 I would like to know the documents that you've</p> <p>8 reviewed in order to prepare for your</p> <p>9 deposition. So what is marked as Exhibit 1,</p> <p>10 that's the document you reviewed?</p> <p>11 A. It was only to try to memorize the</p> <p>12 dates because --</p> <p>13 Q. Okay. Okay. Did you review any other</p> <p>14 documents?</p> <p>15 A. No.</p> <p>16 Q. Okay. Did you have any conversations</p> <p>17 with anyone other than your attorney in</p> <p>18 preparing for your deposition today?</p> <p>19 A. No.</p> <p>20 Q. Okay. Now, before your responses to</p> <p>21 interrogatories were -- and request for</p> <p>22 production were sent to us, did you review these</p> <p>23 to make sure that they were accurate?</p> <p>24 A. I really just -- before they were sent</p> <p>25 to you--all?</p>	<p>1 Q. And you said it was only for a couple</p> <p>2 of months?</p> <p>3 A. Yes.</p> <p>4 Q. And why did you -- why did you leave?</p> <p>5 A. Because I needed to focus more on my</p> <p>6 son.</p> <p>7 Q. How old were you when your son was</p> <p>8 born?</p> <p>9 A. I was 18.</p> <p>10 Q. And I should have asked this earlier.</p> <p>11 Is -- are all of your children -- is your</p> <p>12 husband the father of all of your children?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And I assume that you have</p> <p>15 never been married --</p> <p>16 A. No.</p> <p>17 Q. -- before?</p> <p>18 A. No.</p> <p>19 Q. Has your husband ever been married</p> <p>20 before?</p> <p>21 A. No.</p> <p>22 Q. Okay. Have you ever been arrested?</p> <p>23 A. No.</p> <p>24 Q. Other than the charges you filed</p> <p>25 related to your employment at Sonic, have you</p>

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1 ever filed any other criminal charges against	1 compensation claims?
2 anyone before?	2 A. No. Not that I can remember.
3 A. No.	3 Q. What about -- have you ever filed for
4 Q. Have you ever called the police on	4 unemployment?
5 anyone before?	5 A. I have filed for unemployment before.
6 A. I'm pretty sure I have. I don't -- I	6 Q. And when did you file for
7 don't remember. I'm pretty sure I have.	7 unemployment?
8 Q. When do you think that you did that?	8 A. I don't recall, but I know I have.
9 A. When it was shooting in my	9 Q. Okay. You don't recall what job that
10 neighborhood.	10 was?
11 Q. When was that?	11 A. I don't recall. I think it may have
12 A. It was around the time of the 4th.	12 been -- well, I don't recall.
13 Q. Was it this year?	13 Q. Okay. And what do you think it could
14 A. This year, last year, like, whenever	14 have possibly been?
15 they shoot, you know --	15 A. It probably was -- like I say, I'm
16 Q. Okay. So it typically is something	16 just going to say I don't recall because I
17 that happens every year?	17 really don't remember.
18 A. Yes.	18 Q. Okay. Okay. And do you remember
19 Q. Okay.	19 about how long ago it was?
20 A. I don't call every year.	20 A. I don't.
21 Q. Okay. How many times do you think	21 Q. Okay. Have you ever testified in any
22 you've called?	22 court?
23 A. Let me rephrase that. Let me -- the	23 A. No, ma'am.
24 times I'm home and they shoot around the 4th of	24 Q. And you've never had your deposition
25 July, I have called. But I don't be at home	25 taken?
Page 27	Page 29
1 every year.	1 A. No, ma'am.
2 Q. Okay. Okay. Were you home this year	2 Q. Have you ever filed an insurance claim
3 for July 4th?	3 on your home or automobile?
4 A. Yes.	4 A. No.
5 Q. Okay.	5 Q. Have you ever filed any other charges
6 A. Oh, no, I -- for a little while, but I	6 of discrimination other than what was related to
7 left. It was -- it wasn't on the 4th. It was	7 your employment at Sonic?
8 around the time of the 4th when I called.	8 A. No. Not that I can remember. I'm....
9 Q. Okay. And you called this year?	9 Q. Have you ever settled a claim short of
10 A. Yes.	10 filing a lawsuit, perhaps threatened to file a
11 Q. Okay. Have you ever called the police	11 lawsuit and then ended up resolving the claim?
12 for anything else?	12 A. No.
13 A. Not that I can remember.	13 Q. Have you ever used illegal drugs?
14 Q. Okay. Have the police ever been	14 A. No.
15 called to your home?	15 Q. Okay. So you said that you currently
16 A. To my home? No.	16 live -- is that Clay Street?
17 Q. Have you ever filed for bankruptcy?	17 A. Yes, ma'am.
18 A. No.	18 Q. 862 Clay Street?
19 Q. Have you ever filed a lawsuit against	19 A. Yes.
20 anybody?	20 Q. Okay. And you've lived there for, you
21 A. No, ma'am.	21 said, about three years?
22 Q. I mean, of course, other than the one	22 A. Yes.
23 we're here about today.	23 Q. And how long did you live at your 303
24 A. No. This the only one.	24 South Meridian Street location?
25 Q. Okay. Have you ever filed any workers	25 A. I think I lived there two years.

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<p>1 Q. Okay. And I see in your responses to</p> <p>2 interrogatories, Number 12, you state that</p> <p>3 before that you lived at 404 Evergreen Drive?</p> <p>4 A. Yes.</p> <p>5 Q. And how long did you live at 404</p> <p>6 Evergreen Drive?</p> <p>7 A. A year, give or take.</p> <p>8 Q. Okay. And you also list that you</p> <p>9 lived at 904 Watson Boulevard?</p> <p>10 A. Yes, I lived there in a house for a</p> <p>11 while. I lived there for about a year, give or</p> <p>12 take. I don't know.</p> <p>13 Q. And why did you move from the 404</p> <p>14 Evergreen Drive location to the 303 South</p> <p>15 Meridian Street location?</p> <p>16 A. Because it was sewage at the bottom of</p> <p>17 the basement.</p> <p>18 Q. Okay. And what about the 303 South</p> <p>19 Meridian Street address? Why did you move from</p> <p>20 there to the 862 Clay Street?</p> <p>21 A. The water wasn't working right. We</p> <p>22 had electrical issues.</p> <p>23 MR. STUTZMAN: Do you want to scoot</p> <p>24 down a little bit so that sun's not in your</p> <p>25 eyes? Does that help?</p>	<p>1 Q. Okay. And this might help because</p> <p>2 this really is not a memory contest.</p> <p>3 A. Uh-huh.</p> <p>4 Q. So in preparing your responses to</p> <p>5 interrogatories, one of the questions that we</p> <p>6 asked you was for you to identify your prior</p> <p>7 employers.</p> <p>8 A. Uh-huh.</p> <p>9 Q. And in identifying those prior</p> <p>10 employers, how were you able to identify who you</p> <p>11 had worked for previously?</p> <p>12 A. I know -- I know I worked for Wendy's.</p> <p>13 Q. Okay.</p> <p>14 A. I couldn't remember the exact time --</p> <p>15 you know, I gave my best, you know -- the time</p> <p>16 that I could remember best, you know. It's not</p> <p>17 accurate, you know.</p> <p>18 Q. Okay.</p> <p>19 A. It's not the exact, you know, time</p> <p>20 frame. It was the best that I could remember</p> <p>21 because it was so long ago.</p> <p>22 Q. I've got your employment -- let me --</p> <p>23 MR. STUTZMAN: We objected to</p> <p>24 Interrogatory Number 11.</p> <p>25 MS. TAYLOR: Let's see. Sorry. It's</p>
Page 31	Page 33
<p>1 THE WITNESS: Yes.</p> <p>2 BY MS. TAYLOR:</p> <p>3 Q. Okay. Is that better? I feel like</p> <p>4 the sun is still in your eyes.</p> <p>5 A. It's better.</p> <p>6 Q. Okay. I can scoot down if we need to</p> <p>7 spread out a little bit more, so --</p> <p>8 A. I'm okay.</p> <p>9 Q. Okay. Okay. And are you having any</p> <p>10 issues with your Clay Street --</p> <p>11 A. Not --</p> <p>12 Q. -- location?</p> <p>13 A. None at all.</p> <p>14 Q. Okay. Where have you worked during</p> <p>15 your working life? Did you have a job while you</p> <p>16 were in high school?</p> <p>17 A. Yes, I did.</p> <p>18 Q. Okay. And what job did you have</p> <p>19 during high school?</p> <p>20 A. I worked at Wendy's.</p> <p>21 Q. Okay. And how long did you work at</p> <p>22 Wendy's?</p> <p>23 A. It wasn't long at all.</p> <p>24 Q. How long was it?</p> <p>25 A. I don't know. A few months, maybe.</p>	<p>1 just taking me a little while to find....</p> <p>2 Let's go ahead and mark this as</p> <p>3 Exhibit Number 2.</p> <p>4</p> <p>5 - - - - -</p> <p>6 (Exhibit Number 2 marked.)</p> <p>7 BY MS. TAYLOR:</p> <p>8 Q. Okay. So, Ms. Haughton, I have just</p> <p>9 marked Exhibit Number 2, which are your</p> <p>10 supplemental responses to interrogatories; and I</p> <p>11 understand that initially you objected to</p> <p>12 Interrogatory Number 11. And then after</p> <p>13 discussion with your attorneys, you supplemented</p> <p>14 that response to list your prior work history;</p> <p>15 is that correct?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. I thought it might help</p> <p>18 shortcut this and help you remember --</p> <p>19 A. Uh-huh.</p> <p>20 Q. -- as far as your prior work life.</p> <p>21 If you go to your response or your</p> <p>22 supplemental response to Interrogatory Number</p> <p>23 11 -- I believe that's on page 15.</p> <p>24 A. I'm here.</p> <p>25 Q. Okay. Wonderful. Wonderful.</p>

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Pages 34..37

Page 34	Page 36
<p>1 And you list here that you worked at</p> <p>2 Wendy's from approximately August of 2006 to</p> <p>3 October of 2006?</p> <p>4 A. Yes.</p> <p>5 Q. Is that right?</p> <p>6 A. Yes. Around that time.</p> <p>7 Q. Okay. So you worked there for about</p> <p>8 two months?</p> <p>9 A. Yes. It could have been a little</p> <p>10 less, but I know it wasn't longer than October.</p> <p>11 Q. Okay. Okay.</p> <p>12 Let's do this. I wonder if you push</p> <p>13 back your chair a little bit, you would not be</p> <p>14 -- is that better?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. Okay. Okay. And you indicate that</p> <p>17 you made approximately a dollar -- I mean \$6.25</p> <p>18 per hour?</p> <p>19 A. Yes.</p> <p>20 Q. And do you remember any issues while</p> <p>21 you worked at Wendy's? Did you get along well</p> <p>22 with your supervisor?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Do you remember what your</p> <p>25 supervisor's name was when you worked at</p>	<p>1 of birth?</p> <p>2 A. [REDACTED]</p> <p>3 Q. Okay. And then the next employer you</p> <p>4 list is at McDonald's in 2008. So that's about</p> <p>5 two years after?</p> <p>6 A. Uh-huh.</p> <p>7 Q. What year did you graduate from high</p> <p>8 school?</p> <p>9 A. I graduated in May -- the year was</p> <p>10 2007.</p> <p>11 Q. Okay. And do you remember who your</p> <p>12 supervisor was when you worked at McDonald's?</p> <p>13 A. Nora. That was her name.</p> <p>14 Q. And did you get along with Nora?</p> <p>15 A. I did.</p> <p>16 Q. And did you think that Nora was a fair</p> <p>17 supervisor?</p> <p>18 A. I do.</p> <p>19 Q. And you indicate that you made \$6.25</p> <p>20 per hour; is that correct?</p> <p>21 A. I'm not a hundred percent sure, but</p> <p>22 that's what I'm thinking.</p> <p>23 Q. Okay. And why did you leave</p> <p>24 McDonald's?</p> <p>25 A. I had issues keeping a babysitter.</p>
Page 35	Page 37
<p>1 Wendy's?</p> <p>2 A. I think the -- at that time I think</p> <p>3 his name was Anthony. I'm not sure.</p> <p>4 Q. And do you think that Anthony was a</p> <p>5 fair supervisor?</p> <p>6 A. Yes, I do.</p> <p>7 Q. Was Anthony ever inappropriate with</p> <p>8 you?</p> <p>9 A. No.</p> <p>10 Q. And why did you leave Wendy's?</p> <p>11 A. I was pregnant, and my mama wanted me</p> <p>12 to focus more on school.</p> <p>13 Q. Okay.</p> <p>14 A. I didn't know at that time, though.</p> <p>15 Q. You were not aware you were pregnant?</p> <p>16 A. Huh-uh.</p> <p>17 Q. Okay. How far along were you when you</p> <p>18 found out you were pregnant with your first</p> <p>19 child?</p> <p>20 A. I was, like -- I want to say almost</p> <p>21 three months.</p> <p>22 Q. Okay. Did you have your child before</p> <p>23 or after you graduated?</p> <p>24 A. Before I graduated.</p> <p>25 Q. Okay. And what is your child's date</p>	<p>1 Q. Okay. Did you have any discipline or</p> <p>2 any issues while you worked at McDonald's?</p> <p>3 A. I had an issue with -- I never had,</p> <p>4 like, a conflict; but it was a manager,</p> <p>5 assistant manager or something, the things she</p> <p>6 used to do, you know, how she act.</p> <p>7 Q. And you --</p> <p>8 A. I never had any conflict with her.</p> <p>9 Q. How did she act?</p> <p>10 A. She was just rude to customers and</p> <p>11 stuff. And, you know, if you're in a public</p> <p>12 place, I just felt like that was not fair.</p> <p>13 Q. Were you ever disciplined when you</p> <p>14 worked at McDonald's?</p> <p>15 A. No, ma'am.</p> <p>16 Q. And are you eligible to be rehired at</p> <p>17 McDonald's?</p> <p>18 A. I'm not sure. As far as I know, yes.</p> <p>19 Q. Okay. Do you remember the assistant</p> <p>20 manager's name?</p> <p>21 A. I don't.</p> <p>22 Q. And you never had any conflict with</p> <p>23 the assistant manager?</p> <p>24 A. No.</p> <p>25 Q. Okay. And the next employer you list</p>

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Page 38	Page 40
1 is Food Giant?	1 department was named Shirley.
2 A. Correct.	2 Q. Shirley. Okay. And did you get along
3 Q. Okay. And how long did you work at	3 with Shirley?
4 Food Giant?	4 A. Yes.
5 A. From -- let me see. It was -- I left	5 Q. Do you remember what her last name is?
6 in February. I started in August, and it was	6 A. I don't remember what her last name
7 February.	7 is.
8 Q. Okay. So you worked there for about	8 Q. Did you have any issues while you
9 six months?	9 worked at Food Giant?
10 A. Yes.	10 A. I did have an issue with an employee.
11 Q. Okay. And you indicate that you	11 Q. And what issue did you have with an
12 worked at McDonald's for about -- I guess about	12 employee?
13 two months or three months; is that right?	13 A. She pushed me, and I told on her.
14 A. Yes.	14 Q. And why did she push you?
15 Q. Okay. You indicate that you made	15 A. I was the new girl, you know. And she
16 \$7.25 per hour?	16 felt like I was taking over, you know. Those
17 A. At Food Giant?	17 was her words. She told me I can't come taking
18 Q. Yes, ma'am.	18 over, and I told her we could share the scene,
19 A. Yes.	19 you know. But she later apologized, and I even
20 Q. Okay. And it looks like that you had	20 gave her a ride home.
21 a gap in employment from 2008 until 2013; is	21 Q. Okay. And what was her name?
22 that right?	22 A. Her name was Lorraine.
23 A. Yes.	23 Q. What was her last name?
24 Q. And why were you unemployed during	24 A. I think she was married to -- the guy
25 that time?	25 she was married to was a Strong.
Page 39	Page 41
1 A. Oh, I was going back and forth to the	1 Q. Okay. When she pushed you did you
2 doctor with my son.	2 push her back?
3 Q. Okay.	3 A. No, ma'am.
4 A. My oldest son.	4 Q. Did you have any other issues when you
5 Q. Oh, okay. Was there -- did your	5 worked at Food Giant?
6 oldest son have a health condition?	6 A. No, ma'am.
7 A. He had GERD, real bad GERD.	7 Q. Were you ever disciplined while you
8 Q. Okay.	8 worked at Food Giant?
9 A. And he's also lactose intolerant.	9 A. No.
10 Q. Pardon?	10 Q. And why did you leave Food Giant?
11 A. He's also lactose intolerant.	11 A. I end up missing work. My son got
12 Q. Okay. And you said that your	12 sick. And I took him -- had to take him to the
13 supervisor's name was Ms. Peggy?	13 emergency room in Amory. And the manager -- the
14 A. Yes.	14 store manager, he was mad because I missed; and
15 Q. At Food Giant?	15 I told him that my son was sick. And he was
16 A. Yes.	16 like, Well, don't miss again. And I was like,
17 Q. Did you get along with Ms. Peggy?	17 I'm going to have to because he got to go to
18 A. Yes.	18 LeBonheur. So I just -- I -- I walked out. I
19 Q. Do you think Ms. Peggy was a fair	19 left.
20 supervisor?	20 Q. Okay. So you just left and quit?
21 A. Yes.	21 A. Yeah, because I knew my son had to go
22 Q. Was she the manager of the Food Giant	22 to the doctor, and I could not not take him.
23 or was she the manager of your department?	23 Q. Okay. How old was your son at that
24 A. She was the manager of -- she was the	24 point?
25 supervisor of my department. The manager of my	25 A. He was 9. 8 or 9.

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<p>1 Q. And what was the manager who told you</p> <p>2 you couldn't leave -- what was his name?</p> <p>3 A. His name was Dwayne.</p> <p>4 Q. And other than that did you get along</p> <p>5 with Dwayne?</p> <p>6 A. Yes.</p> <p>7 Q. And did you think that he was a fair</p> <p>8 supervisor?</p> <p>9 A. Yes, besides me missing. I don't</p> <p>10 think that was fair, you know. Besides me</p> <p>11 missing to take my son to the doctor.</p> <p>12 Q. Okay. Now, it looks like you -- so</p> <p>13 from August 13 until you worked at Sonic in</p> <p>14 2019, am I correct that you didn't have any</p> <p>15 other employment? Well, it looks like you</p> <p>16 worked at Superior Hair Products in August of</p> <p>17 2019; is that correct?</p> <p>18 A. Yes. I was working there -- in 2017 I</p> <p>19 was writing books. I was self-employed in 2017.</p> <p>20 Q. Okay. And how many books have you</p> <p>21 written?</p> <p>22 A. Eight.</p> <p>23 Q. And have they been published?</p> <p>24 A. Yes.</p> <p>25 Q. How many have been published?</p>	<p>1 Q. And what is that about?</p> <p>2 A. Both of them are erotica.</p> <p>3 Q. What other books have you written?</p> <p>4 A. I started off writing erotica. Then I</p> <p>5 started writing Christian books. So it was --</p> <p>6 Bent was the third erotica book. And then it</p> <p>7 was -- I started writing Christian books. The</p> <p>8 Dreamer, God Is Real. Blessings and Lessons.</p> <p>9 Q. What is that? Something and</p> <p>10 blessings? What is it?</p> <p>11 A. Blessings and Lessons.</p> <p>12 Q. Okay.</p> <p>13 A. And Secrets Within. My daughter has a</p> <p>14 book, Snowy Day, that I helped her write.</p> <p>15 Q. Any other books?</p> <p>16 A. Huh-uh. I think that's all of them.</p> <p>17 The Heart of Danny.</p> <p>18 Q. The heart of what?</p> <p>19 A. The Heart of Danny.</p> <p>20 Q. Okay. So what -- the erotica books</p> <p>21 that you wrote, what is the -- what is the book</p> <p>22 Hooked about?</p> <p>23 A. It's things that happen in everyday</p> <p>24 life. You know, it's....</p> <p>25 Q. If you were to just briefly state what</p>
Page 43	Page 45
<p>1 A. All of them.</p> <p>2 Q. Okay. Who was the publisher?</p> <p>3 A. Amazon.</p> <p>4 Q. Amazon published them?</p> <p>5 A. Uh-huh.</p> <p>6 Q. Okay. Did you work with a publishing</p> <p>7 company to have them published?</p> <p>8 A. No.</p> <p>9 Q. Okay. Are they digital books or print</p> <p>10 books?</p> <p>11 A. Both.</p> <p>12 Q. Okay. And Amazon printed them as</p> <p>13 well?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And what are the names of the</p> <p>16 books?</p> <p>17 A. Hooked.</p> <p>18 Q. And when was that book published?</p> <p>19 A. I'm not sure.</p> <p>20 Q. Would it be in the year 2017?</p> <p>21 A. I'm not sure. I know Fundable Girls,</p> <p>22 that's my very first book I wrote. And that one</p> <p>23 was in 2017.</p> <p>24 Q. Okay. And what is it called?</p> <p>25 A. Fundable Girls.</p>	<p>1 the story line is?</p> <p>2 A. It was a girl and her friend, and I</p> <p>3 think her and her friend fell out, and she ended</p> <p>4 up with a girl -- boyfriend.</p> <p>5 Q. Ended up with a boyfriend?</p> <p>6 A. Uh-huh.</p> <p>7 Q. So it was a lesbian who ended up --</p> <p>8 A. Yes.</p> <p>9 Q. -- with a boy?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Okay. What about -- what about</p> <p>12 Fundable Girls?</p> <p>13 A. They are strippers who try and make</p> <p>14 ends meet, and it was just really -- how can I</p> <p>15 put this? She basically learned her lesson, in</p> <p>16 the end, of, you know, messing around. The</p> <p>17 story line is the reason why it's not good to --</p> <p>18 you know.</p> <p>19 Q. You mean mess around like --</p> <p>20 A. Yes.</p> <p>21 Q. -- being unfaithful?</p> <p>22 A. Why you should not mess around.</p> <p>23 Q. And what about Bent?</p> <p>24 A. Bent is about a mother who basically</p> <p>25 neglected her kids and -- and she end up leaving</p>

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1 the guy in the end.	1 have listened.
2 Q. How did she leave him?	2 Q. Was your brother okay?
3 A. Ma'am?	3 A. Yeah. He was okay.
4 Q. How did she leave the guy in the end?	4 Q. Any other premonitions?
5 A. How did she leave him?	5 A. It's not really -- all of them is not
6 Q. Yeah.	6 premonitions. Some of them is, like, you know,
7 A. She was no longer with him.	7 this person, I touched her hand; and I got a bad
8 Q. Have you written any other erotica	8 feeling and I jerked my hand back away from her.
9 books?	9 I didn't know what that feeling was. She end up
10 A. No. I'm leaving out one. The Link	10 dying in a car accident.
11 Up. That's, like, a -- it's, like, a spinoff to	11 Q. And was it close in time to when you
12 the other ones, when all the characters come	12 touched her hand?
13 together.	13 A. No. It was, like -- I want to say a
14 Q. Would it be correct that your erotica	14 month afterwards.
15 novels are explicit --	15 Q. Have you had any other premonitions or
16 A. Yes.	16 feelings?
17 Q. -- when it comes to sex?	17 A. I've had them all my life.
18 A. It is.	18 Q. Have you had any other significant
19 Q. Okay. Now, your books that -- when	19 premonitions that were significant to you or
20 did you begin writing Christian novels?	20 perhaps foreshadowed something happening?
21 A. After the erotica. I left the erotica	21 A. To me?
22 alone and started writing Christian novels. I	22 Q. Uh-huh.
23 don't know the exact date that I started, but it	23 A. No. Not to me. I kept picturing my
24 was -- it wasn't in 2017. It was after 2017.	24 uncle. I didn't know why. Two days later he
25 Q. And what is the book The Dreamer, God	25 was in the hospital, and he end up dying.
Page 47	Page 49
1 Is Real?	1 Q. Okay. When did he pass away?
2 A. It's based on a true story where this	2 A. April 4th.
3 girl named Sherry, she had, like, premonitions	3 Q. Of this year?
4 and stuff.	4 A. April 5th. Yeah. Easter. April 5th.
5 Q. And you said it's based on a true	5 Q. This year?
6 story?	6 A. Yes, ma'am.
7 A. Yes.	7 Q. Okay. I'm sorry for your loss.
8 Q. And who was Sherry? Do you know her?	8 A. It's okay.
9 A. I'm Sherry.	9 Q. What about your book Blessings and
10 Q. You're Sherry?	10 Lessons? What was that book about?
11 A. Uh-huh.	11 A. That book is about the blessings
12 Q. Okay. And what premonitions did she	12 that'll come from doing good and the lessons
13 have or have you had?	13 that come from doing wrong.
14 A. I just -- I dream -- I see stuff	14 Q. And what about the book Secrets
15 before it happen.	15 Within?
16 Q. So in your book, what did -- what did	16 A. Secrets Within was about -- the
17 you write in your book as far as seeing stuff	17 character was being molested.
18 before it happens?	18 Q. How old was the character?
19 A. When I told my brother -- he went to a	19 A. I can't remember. I really can't
20 club, my younger brother. And I told him that I	20 remember how old she was. I can't remember.
21 didn't want him to go. But he went anyway, and	21 Q. Okay. Was she under the age of 18?
22 I had a bad feeling, like. So I called him and	22 A. Yes.
23 he didn't answer. And he told me, Like, two,	23 Q. Okay. And what was the -- what
24 three minutes after you called, they were	24 happened in the book?
25 shooting at the club. And he was like, I should	25 A. Her cousin husband molested her and

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1 her brother friend molested her. Just really	1 of men with a broomstick; isn't that correct?
2 just touched all over her and stuff. But she	2 A. That's with Bent, yes.
3 didn't tell.	3 Q. Okay.
4 Q. And in what way was that a Christian	4 A. Yes. Bent. When she left her
5 book? What was the Christian connection with	5 boyfriend.
6 that book?	6 Q. And she raped him with a broomstick;
7 A. Oh, I'm sorry. I want to rephrase	7 is that correct?
8 that. That was -- it's not erotica, but it's	8 A. Correct.
9 more of, like, an autobiography.	9 Q. And you also have rape of children in
10 Q. Okay. And what about The Heart of	10 that book; isn't that right?
11 Danny?	11 A. It was her daughter. She was 18.
12 A. It's a fantasy. It's, like, a love	12 Q. And she was raped?
13 story. It could be -- children could read it.	13 A. Yes.
14 It's nothing bad at all. Well, teenagers. I'll	14 Q. Okay. Now, I see that you also worked
15 say teenagers could read it. It's nothing....	15 for Superior Hair Growth Products. But it looks
16 Q. And what about your daughter's book,	16 like you worked there for a very short period of
17 Snowy Day? What is that about?	17 time; is that right?
18 A. This young girl, she went to sleep --	18 A. After the stuff happened at Sonic, I
19 well, she wanted it to snow, and she was waiting	19 didn't deal with my books. I -- I didn't deal
20 for it to snow. And it didn't know, and she --	20 with my hair products or my books after that.
21 the whole time she thought it was snowing, it	21 MR. STUTZMAN: Do you need to take a
22 really wasn't snowing. She was asleep, dreaming	22 break?
23 it; and when she woke up, it actually started	23 THE WITNESS: I'm okay.
24 snowing.	24 MS. TAYLOR: So, Ms. Haughton, we've
25 Q. Okay. Okay. And how much income have	25 been going for about an hour and 20
Page 51	Page 53
1 you received from your book sales?	1 minutes. Let's take a five-minute break,
2 A. I want to say -- let me see. I want	2 and then we can -- we can continue. Okay?
3 to say it was 150.	3 THE WITNESS: Okay.
4 Q. And how many books have you sold?	4 (Brief recess.)
5 A. I -- I really give my books away. I	5 BY MS. TAYLOR:
6 don't deal with the erotica ones. But yeah. I	6 Q. So, Ms. Haughton, when we broke we
7 mainly give my books away. I....	7 were -- we had just finished talking about your
8 Q. You give your books away from Amazon?	8 book-writing and the erotic novels, and then we
9 A. Like -- it's not a lot of money in it.	9 had begun talking about the Superior Hair Growth
10 Like, you'll get royalties. Your royalties	10 Products piece.
11 might be 10 cent, you know, for somebody turning	11 And before we start, I should have
12 a page; or if someone order a book, you'll get	12 said this before we broke, but I would ask that
13 60 or 70%. They get they percentage, you know.	13 you not discuss your deposition testimony with
14 But it might equal up to \$2, you know.	14 anyone during breaks. Okay?
15 Q. Okay. So in all you think that you've	15 A. Okay.
16 made about \$150?	16 Q. Did you have any conversations with
17 A. Yes.	17 anyone about your deposition testimony during
18 Q. Now, in your erotica books -- and I	18 the break?
19 stated this earlier -- you have very explicit	19 A. No.
20 sex scenes; isn't that right?	20 Q. Okay. So when your attorney called
21 A. Yes, that's correct.	21 you outside into the hallway, y'all did not have
22 Q. And you have scenes that depict rape;	22 a conversation about your deposition testimony?
23 isn't that correct?	23 MR. STUTZMAN: I'm going to object to
24 A. Yes.	24 this. We did not, but --
25 Q. And you have scenes that depict rape	25 MS. TAYLOR: Okay.

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<p>1 BY MS. TAYLOR:</p> <p>2 Q. Is that correct?</p> <p>3 A. Yeah.</p> <p>4 Q. Okay. Now, you worked for Superior</p> <p>5 Hair Growth Products?</p> <p>6 A. Yes, I did.</p> <p>7 Q. Okay. And how long did you work for</p> <p>8 them?</p> <p>9 A. I started in August and I stopped in</p> <p>10 January.</p> <p>11 Q. Okay. And what did you do for them?</p> <p>12 A. It was my own company that I had</p> <p>13 started.</p> <p>14 Q. And how did you start the company?</p> <p>15 What was it based on?</p> <p>16 A. It was hair growth products.</p> <p>17 Q. And how do you make the hair growth</p> <p>18 products?</p> <p>19 A. I make it from home. 100% organic</p> <p>20 products.</p> <p>21 Q. And did you receive any income from</p> <p>22 that?</p> <p>23 A. Around a hundred dollars.</p> <p>24 Q. And do you do people's hair at your</p> <p>25 home?</p>	<p>1 Q. And you indicated it was due to COVID;</p> <p>2 is that right?</p> <p>3 A. No, it wasn't due to COVID. It was</p> <p>4 due to what happened. I stopped everything.</p> <p>5 Q. Okay. And what do you mean by "what</p> <p>6 happened"?</p> <p>7 A. What Eric did, what Tay and his</p> <p>8 daughter did, what Alesha did.</p> <p>9 Q. So your testimony is that your</p> <p>10 employment at Sonic and what you experienced</p> <p>11 there made you stop your hair product business?</p> <p>12 A. Yes. Yes.</p> <p>13 Q. And it was not due to COVID, as stated</p> <p>14 in your interrogatories; is that correct?</p> <p>15 A. No, it's not -- it wasn't due to</p> <p>16 COVID.</p> <p>17 Q. And if you look on page 16 of your</p> <p>18 interrogatory responses, you indicated under</p> <p>19 your employment with Superior Hair Growth</p> <p>20 Products, under G --</p> <p>21 A. I think I was already on that page.</p> <p>22 But no, it wasn't due to COVID. I looked over</p> <p>23 -- I must have missed it, but it wasn't due to</p> <p>24 COVID.</p> <p>25 Q. Okay. After you left Sonic at the end</p>
Page 55	Page 57
<p>1 A. No.</p> <p>2 Q. Okay. How did you sell the products?</p> <p>3 A. What do you mean, how?</p> <p>4 Q. How did you -- did you sell them in a</p> <p>5 store, or did you sell them to your neighbors</p> <p>6 and friends? How did you sell the products?</p> <p>7 A. No, I sold them to -- I had an LLC,</p> <p>8 and I would sell it to whoever wanted the</p> <p>9 products.</p> <p>10 Q. Okay. And how much income did you</p> <p>11 receive from the products?</p> <p>12 A. \$100.</p> <p>13 Q. That's all?</p> <p>14 A. That's all.</p> <p>15 Q. Okay. How much did you sell the</p> <p>16 products for?</p> <p>17 A. \$4. It -- it depends on what -- the</p> <p>18 most I sold it for was, like, \$6.</p> <p>19 Q. Okay.</p> <p>20 A. But I often -- I was just on -- I</p> <p>21 would mainly have, like, a sale, you know, have</p> <p>22 it at a low price starting out.</p> <p>23 Q. Okay. And you stopped that in January</p> <p>24 of 2020?</p> <p>25 A. Yes.</p>	<p>1 of December of 2019, what did you do in order to</p> <p>2 find other employment?</p> <p>3 A. I searched online. I called places.</p> <p>4 I went places.</p> <p>5 Q. And where did you search online?</p> <p>6 A. Indeed.</p> <p>7 Q. And did you apply for unemployment</p> <p>8 after you left Sonic?</p> <p>9 A. No.</p> <p>10 Q. And why not?</p> <p>11 A. I guess it didn't really cross my</p> <p>12 mind. I'm -- it didn't cross my mind to apply</p> <p>13 for unemployment.</p> <p>14 Q. And why is that?</p> <p>15 A. I don't know.</p> <p>16 Q. And when -- your husband received</p> <p>17 unemployment; is that right? He received \$600 a</p> <p>18 week for the COVID unemployment; is that right?</p> <p>19 A. Yes.</p> <p>20 Q. And why did you not apply for</p> <p>21 unemployment at that point when you learned that</p> <p>22 you could receive a significant amount a week</p> <p>23 for COVID?</p> <p>24 A. It wasn't about the money. It wasn't</p> <p>25 about that.</p>

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1 Q. So you did not apply for unemployment	1 because of his income. I'm not sure. But if --
2 because it was not about the money?	2 if they are denied, then he's going to add us --
3 A. No, it wasn't about the money.	3 all us on.
4 Q. But -- but you knew that you could	4 Q. Okay. Now, it looks like, according
5 receive a significant amount of money due to the	5 to your responses to interrogatories -- let's
6 pandemic unemployment; isn't that right?	6 see. It would be response to Interrogatory
7 A. I wasn't sure if I could. I wasn't	7 Number 10. It looks like you applied to
8 sure if I could -- I really -- it -- it really	8 positions in January and February and March of
9 wasn't on my mind. I was depressed. I was	9 2020. Is that right?
10 really depressed. Maybe I wasn't just clearly	10 A. Yes.
11 thinking straight, but....	11 Q. It looks like you applied to three
12 Q. So you said that you searched online	12 positions in January; is that correct?
13 through Indeed. What places did you call?	13 A. Correct.
14 A. I called Snokey's and asked them was	14 Q. And four positions in February of
15 they hiring. I called to check on up on my	15 2020; is that right?
16 application in West Point at Popeyes. I called	16 A. Correct.
17 -- I called Hardee's or Burger King. One of	17 Q. And seven positions in March; is that
18 them I did online and one of them I called them.	18 right?
19 I'm not sure which one was which.	19 A. March. (Witness reviews document.)
20 Q. Anyone else that you called?	20 Yes.
21 A. I can't remember.	21 Q. And it looks like you did not apply to
22 Q. Were there periods of time where you	22 any positions at all between August of 2020 and
23 did not look for a job at all?	23 April 25th of 2021; is that right?
24 A. When I was depressed. It's like some	24 A. August 2020? In August -- I was
25 days will be good, some days will be bad.	25 having trouble off and on during my pregnancy.
Page 59	Page 61
1 Q. Have you ever suffered from depression	1 I applied for Sitel, and I was working there in
2 before?	2 2020 from September to October sometime. And
3 A. No, ma'am. Never.	3 then I became ill. I tried to see could I get a
4 Q. Did you have health insurance through	4 leave so I could have my job back when I -- but
5 your husband's job?	5 they said that I wasn't there long enough to do
6 A. No.	6 that.
7 Q. Did you have health insurance through	7 Q. Okay. And so I guess after you left
8 some type of a state -- Medicare, Medicaid,	8 Sitel in October of 2020, you didn't apply to
9 health insurance for women who were having	9 any positions until April 25th of 2021; is that
10 children?	10 right?
11 A. I had that after I had -- when I was	11 A. Well, I had -- I had my baby in
12 pregnant with my son, when I was -- a few months	12 December, and he was born with that heart -- his
13 -- like, three months after I had my son, I had	13 heart condition. And I knew it's no way I could
14 Medicaid then.	14 work and be there for him. So no, I didn't
15 Q. Are your children covered by your	15 apply.
16 husband's health insurance?	16 Q. Okay. And then it looks like you
17 A. No.	17 applied to five positions on April 25th of 2021
18 Q. And do you currently have any health	18 by an internet site; is that correct?
19 insurance?	19 A. Correct.
20 A. No.	20 Q. And did any of those people call you
21 Q. Okay. Does your husband have health	21 back?
22 insurance?	22 A. I didn't hear anything, you know, from
23 A. Yes. My children had Medicaid. We	23 anyone. I never talked to anyone. This one guy
24 just got recertified. I'm waiting to hear if I	24 I spoke to, he said he would call me back or
25 got approved or denied. I might have got denied	25 something; but I never heard anything from him.

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<p>1 Q. And where did you -- where did you</p> <p>2 speak to somebody? Which of the employers?</p> <p>3 A. That was at -- oh, no. No. That was</p> <p>4 about the Sitel, trying to get back -- my job</p> <p>5 back at Sitel. Someone said they'll get in</p> <p>6 touch with me.</p> <p>7 Q. I see. I see. And did you -- other</p> <p>8 than applying to these positions on April 25th,</p> <p>9 did you call any of these businesses? Did you</p> <p>10 ever call Wendy's?</p> <p>11 A. I'm pretty sure I did, but I don't</p> <p>12 remember.</p> <p>13 Q. Okay. Do you ever remember calling</p> <p>14 Focus Workforce Management?</p> <p>15 A. No, I didn't call them.</p> <p>16 Q. And did you ever call Jack's Family</p> <p>17 Restaurant?</p> <p>18 A. No, ma'am.</p> <p>19 Q. And then it looks like there's a</p> <p>20 period between April 25th of 2021 and then</p> <p>21 August 31st of 2021 where you did not apply for</p> <p>22 any positions; is that right?</p> <p>23 A. August? I did apply. In August I did</p> <p>24 apply.</p> <p>25 Q. Right. In between April of 2021 and</p>	<p>1 find employment after August 31st?</p> <p>2 A. Well, I was trying to get at my</p> <p>3 sister's restaurant. She's opening her a</p> <p>4 restaurant, and she -- I was kind of waiting on</p> <p>5 that. She said when business pick up.</p> <p>6 Q. And what restaurant does your sister</p> <p>7 own?</p> <p>8 A. It's called J A & B's Kitchen.</p> <p>9 Q. And where is it located?</p> <p>10 A. It's on Highway 45 -- it's 45 North by</p> <p>11 -- the same highway McDonald's on. I think</p> <p>12 that's 45 North? Yeah.</p> <p>13 Q. Has your sister had any issues finding</p> <p>14 people to work at her restaurant?</p> <p>15 A. The only person that working with her</p> <p>16 right now is my mother. She trying to wait till</p> <p>17 business pick up before she just hires somebody.</p> <p>18 Q. Okay. And other than you have put on</p> <p>19 your responses to interrogatories, that's your</p> <p>20 only efforts to find other employment; is that</p> <p>21 right?</p> <p>22 A. I filled out something a few days ago.</p> <p>23 Q. And what did you fill out?</p> <p>24 A. I filled out an application -- may I</p> <p>25 grab my phone? It's in -- well, it was at</p>
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<p>1 August of 2021, you did not apply for any</p> <p>2 positions; is that correct?</p> <p>3 A. In August I did. I think it might</p> <p>4 have been -- it might have before after this or</p> <p>5 something. No, it wasn't. I think that -- it</p> <p>6 was before this. I think I sent that in. I</p> <p>7 thought I sent that in.</p> <p>8 Q. So if we look at -- do you have</p> <p>9 Exhibit Number 2 in front of you?</p> <p>10 A. Let's see. August. Oh, August 31st.</p> <p>11 Q. That's right. It looks like there's a</p> <p>12 period between April 25th of 2021 and August</p> <p>13 31st of 2021 that you did not apply for any</p> <p>14 positions; is that right?</p> <p>15 A. Yes, ma'am.</p> <p>16 Q. Okay.</p> <p>17 A. I'm sorry. I -- it was in August,</p> <p>18 yes. You're correct. I'm sorry.</p> <p>19 Q. And then it looks like you applied for</p> <p>20 four positions in August of 2021; is that right?</p> <p>21 A. Correct. It was in August, yes.</p> <p>22 Q. And did you hear back from any of</p> <p>23 those positions?</p> <p>24 A. No, ma'am.</p> <p>25 Q. And have you made any other efforts to</p>	<p>1 Wendy's in Aberdeen.</p> <p>2 Q. And when did you apply for that?</p> <p>3 A. It was sometime this month. And I</p> <p>4 called --</p> <p>5 Q. November?</p> <p>6 A. Yes. And I called them as well.</p> <p>7 Q. And what did they say or -- did they</p> <p>8 hire you?</p> <p>9 A. They was -- they closed early. They</p> <p>10 -- I didn't get in touch with anyone. And I</p> <p>11 didn't call back after that.</p> <p>12 Q. How did you find your job at Sitel?</p> <p>13 A. Through Indeed.</p> <p>14 Q. And who was your supervisor at Sitel?</p> <p>15 A. My online instructor was Tameka? I</p> <p>16 want to say her name was Tameka.</p> <p>17 Q. And how long did you work at Sitel?</p> <p>18 A. From September to October sometime.</p> <p>19 Q. Okay.</p> <p>20 A. I was there for about six weeks.</p> <p>21 Q. And what was your position there?</p> <p>22 A. I was taking calls, training to take</p> <p>23 calls and stuff.</p> <p>24 Q. Was that a job that you performed from</p> <p>25 home or did you have to go to the Sitel</p>

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1 location?	1 A. Yes. But in between that time he
2 A. It was from home.	2 would be doing -- you know.
3 Q. And how much did you earn an hour at	3 Q. And you said that you -- after you
4 Sitel?	4 quit Skytel [sic], you called to see if you
5 A. It was 9. Either 9 -- between 9 and	5 could get your job back?
6 9.50. Let me see. Let me go....	6 A. I didn't quit. They told me that I
7 Q. So if you state in your responses to	7 couldn't -- I couldn't keep my position after I
8 so interrogatories it was 9.25 --	8 had my baby. After I left I didn't call back
9 A. 9.25. Yes.	9 because the stuff was going on with my baby. I
10 Q. Okay. And how many hours a week were	10 didn't contact anyone for, like, four months.
11 you going to work at Sitel?	11 Q. Okay. So after you left Skytel -- or
12 A. I was working 40 hours.	12 Sitel, you didn't call them back and see if you
13 Q. And had you gotten past the training	13 could get your job back?
14 process?	14 A. I applied again. I did. I have
15 A. I can't remember -- I really can't	15 applied for Sitel. No, let me take that back.
16 remember, like....	16 I don't remember. I really don't remember. But
17 Q. Okay. And you said Tameka was your	17 I do know that after I had my baby, I did not
18 trainer?	18 apply for at least four months, I know. But
19 A. Yes. Her name was Tameka.	19 after that I really don't know if I applied with
20 Q. And did you get along with Tameka?	20 them or not.
21 A. Yes.	21 Q. And you don't remember calling them to
22 Q. And did you think she was a fair	22 see if you could get your position back?
23 trainer?	23 A. I know I don't -- I know I didn't
24 A. Yes.	24 call, but I don't know if I submitted my
25 Q. And did you have a supervisor at	25 application with them.
Page 67	Page 69
1 Sitel, or was Tameka your supervisor?	1 Q. Would you have included that in your
2 A. All I know was Tameka, you know. She	2 responses to interrogatories if you had applied
3 was the one who was over us, you know, that	3 to Sitel after leaving in October of 2020?
4 particular class.	4 A. I'm pretty sure I would. I just don't
5 Q. Okay.	5 remember if I did or -- I know I didn't call.
6 A. That's what I mean by this.	6 Q. Okay. You know you didn't call?
7 Q. And what were the hours that you were	7 A. I know I didn't call.
8 training?	8 Q. Okay. And if your response to
9 A. Eight hours a week -- eight hours a	9 interrogatory said that you applied to Sitel in
10 day.	10 July of 2020, and then again in August of
11 Q. And what hours were you working?	11 2020 --
12 A. From 8:00 to 5:00.	12 A. That's --
13 Q. And how were you able to work from	13 Q. -- would you have any reason to
14 8:00 to 5:00 and homeschool your four -- three	14 dispute that?
15 children?	15 A. Yes. In 2020, that's when I got
16 A. Oh. I was able to -- with	16 hired. In 2021 is -- 2020 is -- in July and
17 homeschooling, it's not a set time when you --	17 August -- I applied in August. I got hired in
18 when I get off work, we do schoolwork. When I	18 September. I started working in September of
19 get off work, we -- we would do schoolwork.	19 2020. From September to October is when I
20 Q. Okay.	20 worked. I stopped working in October of 2020
21 A. And sometimes, like -- at that time my	21 because of pregnancy complications, and I had my
22 husband, he would, you know, also do the little	22 baby December 2nd.
23 games and stuff and read with them. But I did	23 Q. Okay. What were the complications you
24 the main teaching part, so....	24 had with your pregnancy?
25 Q. And you would do that after 5:00?	25 A. I had severe pain and dizziness,

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1 nausea, vomiting.	1 disciplined quite a few times while working at
2 Q. Okay. Nausea and what?	2 Food Giant, would that be consistent with your
3 A. Vomiting.	3 memory of being disciplined while you worked
4 Q. Okay. Any other -- were there any	4 there?
5 other complications with your pregnancy?	5 A. I don't never remember being suspended
6 A. I can't remember. Those I remember	6 or disciplined or anything.
7 off top.	7 Q. Okay. Let me show you --
8 MS. TAYLOR: Okay. Would it be okay	8 A. I take that back. I think I did get a
9 if we took a quick break so I could make a	9 write-up or something.
10 phone call?	10 Q. If you got five write-ups while you
11 MR. STUTZMAN: Okay.	11 worked at Food Giant, would you have any reason
12 MS. TAYLOR: And I will say, please	12 to dispute that?
13 don't discuss your deposition testimony	13 A. Correct. I would dispute that because
14 with anyone during the break. Okay?	14 I don't remember -- five write-ups?
15 THE WITNESS: I won't.	15 Q. That's correct.
16 MS. TAYLOR: And I am really sorry. I	16 A. No, ma'am. I'm not aware of that.
17 will try to make this as quick as possible.	17 Q. Okay. Okay. Let me show you --
18 (Brief recess.)	18 MS. TAYLOR: We'll mark this as
19 A. May I say something?	19 Exhibit 3.
20 BY MS. TAYLOR:	20
21 Q. Absolutely.	21 - - - - -
22 A. I want to go back and -- I got it	22 (Exhibit Number 3 marked.)
23 wrong. It was -- November the 1st it was Pizza	23 BY MS. TAYLOR:
24 Hut that I applied for. Pizza Hut.	24 Q. I apologize that this is not a good
25 Q. November the 1st.	25 copy. This exhibit is dated November 1st of
Page 71	Page 73
1 A. Yes.	1 2013, and it -- under Number 3 it says, Explain
2 Q. Okay. Okay. And, Ms. Haughton, I	2 the standards, policies, and practices. It
3 should have said this earlier. I -- if there's	3 says, We will not put up with anyone mistreating
4 anything that you need to go back and change as	4 any customer at any time.
5 we're talking today, please do exactly what you	5 A. I've never signed anything with all of
6 just did. Just let me know and you can revisit.	6 this together like this. And I -- I don't
7 Okay?	7 remember -- I didn't know I was -- I remember
8 A. Okay. And I also want to state that	8 one write-up, but I explained -- she told me
9 when I was doing the work online with Sitel, on	9 that it was okay about the customer. I
10 my lunch breaks I would go check -- because they	10 explained to her that I never got an attitude.
11 got a laptop that they would do they work on,	11 All I ever did was treat customers with respect.
12 you know, and I would go check -- you know, they	12 Q. Okay. Is that your signature on the
13 pretty much knew what to do, but I would go over	13 bottom of that document?
14 it -- after work I would go over everything with	14 A. Yes, that's correct.
15 them to make sure they understood it.	15 Q. Okay. And do you remember being
16 Q. Okay. Okay.	16 issued an Associate Discipline Record for being
17 Okay. So to go back to your	17 rude to a customer?
18 employment at Food Giant, when you worked at	18 A. I don't remember this paper. No, I
19 Food Giant, you understood that your employment	19 don't remember this paper at all.
20 was at will, meaning that you could quit for any	20 Q. Okay.
21 reason or you could be terminated for any reason	21 A. That is my signature, but I do not
22 without notice?	22 remember this paper at all.
23 A. Yes.	23 Q. Okay. Do you ever remember being
24 Q. Okay. Now, if the records that Food	24 presented with a disciplinary record and
25 Giant produced indicated that you had been	25 refusing to sign it?

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<p>1 A. Refusing to sign it. I don't</p> <p>2 remember; but if I felt like something -- you</p> <p>3 know, if I was being truthful about something,</p> <p>4 then it might have. I don't know.</p> <p>5 Q. Okay.</p> <p>6 A. I really don't know.</p> <p>7 Q. Okay.</p> <p>8 MS. TAYLOR: We'll mark this as</p> <p>9 Exhibit Number 4.</p> <p>10</p> <p>11 - - - - -</p> <p>12 (Exhibit Number 4 marked.)</p> <p>13 BY MS. TAYLOR:</p> <p>14 Q. Now, Exhibit Number 4 is dated January</p> <p>15 12th of 2014. It indicates that a customer said</p> <p>16 that she was at the hot bar waiting on Shearson</p> <p>17 to help her, that you were on the phone at the</p> <p>18 time; and that when you got off the phone, you</p> <p>19 turned and walked off and did not come back to</p> <p>20 see what the customer wanted.</p> <p>21 A. No, that's not true.</p> <p>22 Q. Okay.</p> <p>23 A. When I worked at Food Giant, I was the</p> <p>24 only one at the front. They would leave me and</p> <p>25 when -- I was the only one who really worked the</p>	<p>1 should I attend to a customer. They never --</p> <p>2 that's something they never explained to me. My</p> <p>3 thinking was check on this food, then attend to</p> <p>4 the customer.</p> <p>5 Q. And do you recall -- do you recall</p> <p>6 refusing to sign this form?</p> <p>7 A. Because I -- I felt like it wasn't</p> <p>8 right because they didn't tell me that, oh, you</p> <p>9 -- you take care of the customer, then the food.</p> <p>10 Then you go attend to the food. They never told</p> <p>11 me attend to the customer first.</p> <p>12 It was a lot of times at Food Giant</p> <p>13 when I was out there, somebody would -- in the</p> <p>14 kitchen would cook -- because I also used to</p> <p>15 bake, like, cookies and roast chicken and stuff</p> <p>16 at Food Giant. And I felt like that wasn't</p> <p>17 right. That's why I didn't sign that because I</p> <p>18 wasn't told.</p> <p>19 Q. But you do remember it being --</p> <p>20 A. Yes.</p> <p>21 Q. -- brought up to you.</p> <p>22 A. I do now, yes.</p> <p>23 Q. Okay.</p> <p>24 A. And when she said smile at customers,</p> <p>25 I said, I do smile. She said, But you got to</p>
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<p>1 front without help. I trained myself, really,</p> <p>2 because -- I never turned my back on a customer.</p> <p>3 It may have been a time when I was on the phone</p> <p>4 and I acknowledged the customer hold on a second</p> <p>5 because I've got something cooking or something,</p> <p>6 but I never -- I don't recall this at all.</p> <p>7 Q. Do you remember being told when you</p> <p>8 worked at the Food Giant that you need to take</p> <p>9 care of customers and be friendly to customers?</p> <p>10 A. No. I know she said that -- she told</p> <p>11 me to smile more. She did tell me to smile</p> <p>12 more. She did say that.</p> <p>13 Q. Okay. And do you remember refusing to</p> <p>14 sign this disciplinary form?</p> <p>15 A. I didn't know I was disciplined for</p> <p>16 not smiling at the customers.</p> <p>17 Q. Actually I'm referring to the</p> <p>18 disciplinary form marked Exhibit 4 that states</p> <p>19 that you turned and walked away from a customer</p> <p>20 after being on a phone call. Do you remember</p> <p>21 refusing to sign the form?</p> <p>22 A. And then I do know she told me -- I</p> <p>23 said I was never told you take care of customer</p> <p>24 if -- you know, you take care of customer -- I</p> <p>25 didn't know should I turn to go get the food or</p>	<p>1 keep a smile. You know, it's hard to -- it's</p> <p>2 not like I was frowning up. She wanted me to</p> <p>3 smile all the time.</p> <p>4 Q. Okay.</p> <p>5 A. That's what she wanted.</p> <p>6 Q. Now, you could understand that, you</p> <p>7 know, in that type of a business, a grocery</p> <p>8 store, that you would need to be courteous to</p> <p>9 customers and make sure that they had a good</p> <p>10 experience; is that correct?</p> <p>11 A. I do --</p> <p>12 MR. STUTZMAN: Object to the form.</p> <p>13 BY MS. TAYLOR:</p> <p>14 Q. Is that correct?</p> <p>15 A. I do --</p> <p>16 MR. STUTZMAN: You can answer it. You</p> <p>17 can answer it.</p> <p>18 A. I do want to clarify that I was never</p> <p>19 rude. What it was, I would say, Hey, how are</p> <p>20 you doing, you know. But she wanted me to</p> <p>21 smile, you know, be jolly, more jolly. She</p> <p>22 wasn't saying I wasn't doing it. She said I</p> <p>23 wasn't doing it enough.</p> <p>24 Q. Okay. So just to restate my question,</p> <p>25 you do understand that in a business like Food</p>

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<p>1 Giant, that you would need to be courteous to</p> <p>2 customers and make sure that they have a good</p> <p>3 experience in the store; is that right?</p> <p>4 MR. STUTZMAN: Object to the form.</p> <p>5 You can answer.</p> <p>6 A. Yes.</p> <p>7 MS. TAYLOR: Okay. Let's go ahead and</p> <p>8 mark this as the next exhibit.</p> <p>9</p> <p>10 - - - - -</p> <p>11 (Exhibit Number 5 marked.)</p> <p>12 BY MS. TAYLOR:</p> <p>13 Q. Now, this exhibit is dated -- and it's</p> <p>14 Exhibit Number 5. Exhibit Number 5 is dated</p> <p>15 January the 30th of 2014, and it's signed by</p> <p>16 Shirley Carter. That's your supervisor; is that</p> <p>17 correct?</p> <p>18 A. Yes. Yes, that's her name.</p> <p>19 Q. And it states that you were not going</p> <p>20 to sign this, that you said you would not sign</p> <p>21 it.</p> <p>22 But do you recall indicating to your</p> <p>23 supervisors that you would come in and work an</p> <p>24 evening and that you did not show up and did not</p> <p>25 call? Do you remember being counseled about</p>	<p>1 being a no-call/no-show?</p> <p>2 A. I don't -- I don't remember that. I</p> <p>3 do not remember at all. If she wrote it -- she</p> <p>4 didn't hand it to me if she did. This is not</p> <p>5 even signed.</p> <p>6 Q. Is that not?</p> <p>7 A. No. I don't even remember this paper.</p> <p>8 Q. You don't remember ever being</p> <p>9 presented this on the 31st?</p> <p>10 A. No, ma'am.</p> <p>11 Q. Do you remember having a conversation</p> <p>12 with Shirley Carter on the 2nd of the 14th that</p> <p>13 you came in to get your check and that you told</p> <p>14 them you were through?</p> <p>15 A. I was -- no, ma'am. That's not true.</p> <p>16 Q. Okay. So you didn't tell them you</p> <p>17 were through?</p> <p>18 A. No, ma'am. The day I left work,</p> <p>19 Shirley was not even there.</p> <p>20 Q. Do you ever remember having to come</p> <p>21 back in and get your check after being absent?</p> <p>22 A. After I left I got my check. That's</p> <p>23 -- you know, I had another check to get anyway</p> <p>24 after I left. It's not that. I had a</p> <p>25 conversation with her. I didn't talk to Shirley</p>
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<p>1 that?</p> <p>2 A. I remember that it wasn't my day to</p> <p>3 work, and I told her that I would try my best to</p> <p>4 come in. I never said that -- I said that I</p> <p>5 would try my best. So that's why I got in</p> <p>6 trouble for that.</p> <p>7 Q. Okay. But you do remember them --</p> <p>8 A. I remember --</p> <p>9 Q. -- talking to you about that.</p> <p>10 A. Yes.</p> <p>11 Q. And do you recall not showing up the</p> <p>12 next day to work --</p> <p>13 A. I don't --</p> <p>14 Q. -- on the 31st of January?</p> <p>15 A. I don't recall that.</p> <p>16</p> <p>17 - - - - -</p> <p>18 (Exhibit Number 6 marked.)</p> <p>19 BY MS. TAYLOR:</p> <p>20 Q. So this looks like it's dated January</p> <p>21 31st of 2014, Exhibit 6. There's the Associate</p> <p>22 Disciplinary Record. It indicates that you were</p> <p>23 scheduled to work from 12:00 to 7:00 and that</p> <p>24 you were a no-call/no-show. Do you ever</p> <p>25 remember being given a disciplinary warning for</p>	<p>1 again after I left. That day I left, Shirley</p> <p>2 wasn't even there.</p> <p>3 Q. Okay. So you don't remember Shirley</p> <p>4 giving you the final write-up, the fifth</p> <p>5 write-up, and you refusing to sign it?</p> <p>6 A. I didn't -- this is new to me. This</p> <p>7 here is new to me. Now, about the smiling of</p> <p>8 the customers, that's true. But this is new to</p> <p>9 me.</p> <p>10 Q. Okay.</p> <p>11 MS. TAYLOR: Go ahead and mark this as</p> <p>12 Exhibit Number 7.</p> <p>13</p> <p>14 - - - - -</p> <p>15 (Exhibit Number 7 marked.)</p> <p>16 A. This is so new -- I never in my life</p> <p>17 seen this before.</p> <p>18 BY MS. TAYLOR:</p> <p>19 Q. So you don't recall your supervisor,</p> <p>20 Shirley Carter, giving you an Associate</p> <p>21 Discipline Record on the 2nd?</p> <p>22 A. No, ma'am. She didn't.</p> <p>23 Q. Do you know if you're eligible to be</p> <p>24 rehired at Food Giant?</p> <p>25 A. One day I went there and Shirley was</p>

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<p>1 like, Come on back here and help us. So I'm --</p> <p>2 as far as I know, yes.</p> <p>3 Q. Okay. And if their records indicate</p> <p>4 that you are not eligible to be rehired, would</p> <p>5 you have any reason to dispute that?</p> <p>6 A. It'll be new to me. I didn't know</p> <p>7 because she did say "Come on back here and help</p> <p>8 us" one day.</p> <p>9 Q. You had mentioned Dwayne. Is that</p> <p>10 Dwayne Jackson?</p> <p>11 A. Yes.</p> <p>12 Q. Is that the --</p> <p>13 A. He's the store manager.</p> <p>14 Q. -- the store manager? And if Dwayne</p> <p>15 Jackson said that you're not eligible to be</p> <p>16 rehired there, you would dispute that?</p> <p>17 A. I -- it -- I didn't know anything</p> <p>18 about it if I wasn't able to work there again.</p> <p>19</p> <p>20 - - - - -</p> <p>21 (Exhibit Number 8 marked.)</p> <p>22 BY MS. TAYLOR:</p> <p>23 Q. Okay. Now, it appears that Dwayne</p> <p>24 Jackson, in this note dated February 17th of</p> <p>25 2014, said that you had been a problem employee</p>	<p>1 that's not true at all.</p> <p>2 Q. Okay.</p> <p>3 A. A lot of these are false information.</p> <p>4 Q. Okay. Now, when you worked at Sitel,</p> <p>5 did you understand that your employment was at</p> <p>6 will, meaning you could quit your job for any</p> <p>7 reason and you could be terminated for any</p> <p>8 reason without notice?</p> <p>9 A. Yes. I thought it was everything</p> <p>10 except discrimination.</p> <p>11 Q. Okay. Now, you worked for Sonic on</p> <p>12 two occasions; isn't that correct?</p> <p>13 A. Correct.</p> <p>14 Q. And how did you find out about the job</p> <p>15 at Sonic?</p> <p>16 A. I can't remember. The second time I</p> <p>17 think I seen it on Indeed. I saw it on Indeed.</p> <p>18 Q. And the first time that you worked for</p> <p>19 Sonic, when was that?</p> <p>20 A. I want to say it was in 2014, 2015,</p> <p>21 one of those.</p> <p>22 Q. And why did you leave Sonic the first</p> <p>23 time?</p> <p>24 A. I was sick. I was ill, very ill then.</p> <p>25 And I didn't know I was pregnant then.</p>
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<p>1 from the start and have been given chances to</p> <p>2 improve but has not, and that you had gone on</p> <p>3 break on Sunday and never returned and said you</p> <p>4 quit. Do you remember doing that?</p> <p>5 A. Joanne Pointer is dead.</p> <p>6 Q. Could you say that one more time?</p> <p>7 A. Joanne Pointer, she's deceased.</p> <p>8 Q. Okay. And when did she pass away?</p> <p>9 A. I never went to her.</p> <p>10 Q. When did she pass away?</p> <p>11 A. She passed away -- I want to say it</p> <p>12 was in 2018.</p> <p>13 Q. So it would be sometime after 2014?</p> <p>14 A. Yes. But this is new to me. I never</p> <p>15 went to Joanne and asked her to work for me. My</p> <p>16 son got sick. I didn't know he -- and my phone</p> <p>17 did die. My phone was dead. I rushed him to</p> <p>18 the hospital, didn't have no phone charger or</p> <p>19 nothing. February the 14th, 2014. You can</p> <p>20 contact the hospital.</p> <p>21 Q. Okay. And so the record saying that</p> <p>22 you went on break on Sunday and never returned</p> <p>23 and called and said you quit, that would be</p> <p>24 consistent with what happened?</p> <p>25 A. No, ma'am, that's not true. God knows</p>	<p>1 Q. And so you quit your position the</p> <p>2 first time?</p> <p>3 A. No. The first time I was fired</p> <p>4 because I did miss then. I didn't come in. I</p> <p>5 was sick that day. And I hadn't been there that</p> <p>6 long.</p> <p>7 Q. If you only worked at Sonic the first</p> <p>8 time for just a couple of weeks, would that be</p> <p>9 consistent with your memory?</p> <p>10 A. I don't remember, but I know it wasn't</p> <p>11 long.</p> <p>12 Q. Okay. What was your position the</p> <p>13 first time?</p> <p>14 A. I was a -- I fixed sandwiches, and I</p> <p>15 was a -- I was a cook.</p> <p>16 Q. A cook? Okay. And who was the</p> <p>17 managers at Sonic the first time?</p> <p>18 A. Alesha, Eric, and Teresa. And also</p> <p>19 Allison Brown.</p> <p>20 Q. And what was your schedule the first</p> <p>21 time you worked at Sonic?</p> <p>22 A. I only worked, like, two, three hours.</p> <p>23 Q. You only worked for a couple of hours?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. So it was a very short period</p>

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<p>1 of time.</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. Okay. Did you have any issues the</p> <p>4 first time that you worked?</p> <p>5 A. I didn't have any issues the first</p> <p>6 time.</p> <p>7 Q. When you worked for just a couple of</p> <p>8 hours, do you remember if you worked in the day</p> <p>9 or if you worked at nighttime?</p> <p>10 A. Then -- I can't remember. I can't</p> <p>11 remember then. It might have been both. I'm</p> <p>12 not sure.</p> <p>13 Q. Okay. And the second time that you</p> <p>14 worked for Sonic, how did you find out about the</p> <p>15 position?</p> <p>16 A. The second time I called her and --</p> <p>17 the first -- no, the second time I seen it on</p> <p>18 Indeed, and then I called her and --</p> <p>19 Q. And who did you call?</p> <p>20 A. I called Sonic and talked to Alesha.</p> <p>21 Q. Did you know Alesha before you worked</p> <p>22 at Sonic?</p> <p>23 A. No.</p> <p>24 Q. And you said Teresa was also a manager</p> <p>25 the first time?</p>	<p>1 Teresa was there or Alesha.</p> <p>2 Q. Okay. And did you think Teresa was a</p> <p>3 fair supervisor?</p> <p>4 A. Besides sending me home early, yes.</p> <p>5 Other than that, yes.</p> <p>6 Q. Okay. Why did she send you home</p> <p>7 early?</p> <p>8 A. Because she said that work was slow</p> <p>9 and she needed to get, you know, some people off</p> <p>10 of the clock.</p> <p>11 Q. I see. And do you have any reason to</p> <p>12 believe Allison Brown would say anything</p> <p>13 untruthful about you?</p> <p>14 A. Not that I know of.</p> <p>15 Q. Did you know Eric Ellis before you</p> <p>16 worked at Sonic?</p> <p>17 A. I never knew him until I worked at</p> <p>18 Sonic.</p> <p>19 Q. And did you get along with him other</p> <p>20 than this incident?</p> <p>21 A. Yes, we got along.</p> <p>22 Q. And do you think he was a fair</p> <p>23 supervisor?</p> <p>24 A. No.</p> <p>25 Q. And why is that?</p>
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<p>1 A. Yes. Teresa and Allison Brown.</p> <p>2 Q. Okay. What's Teresa's last name?</p> <p>3 A. Williams.</p> <p>4 Q. Did you know Teresa?</p> <p>5 A. I know Teresa.</p> <p>6 Q. And how did you know Teresa?</p> <p>7 A. She used to work in the cafeteria at</p> <p>8 school, and she also used to hang with my</p> <p>9 cousin.</p> <p>10 Q. Did you get along with Teresa?</p> <p>11 A. Yes.</p> <p>12 Q. And do you have any reason to believe</p> <p>13 Teresa would say anything untruthful about you?</p> <p>14 A. I didn't do anything. Not that I know</p> <p>15 of.</p> <p>16 Q. Okay. What about Allison Brown? Did</p> <p>17 you know Allison Brown before you worked at</p> <p>18 Sonic?</p> <p>19 A. I knew of her.</p> <p>20 Q. And did you get along with her?</p> <p>21 A. Yes.</p> <p>22 Q. Do you think that she was a fair</p> <p>23 supervisor?</p> <p>24 A. I wasn't really -- she was there</p> <p>25 sometimes, but I really mainly was there when</p>	<p>1 A. Because -- because of what he did to</p> <p>2 me.</p> <p>3 Q. And Alesha, is that -- is it Alesha</p> <p>4 Gardner?</p> <p>5 A. Yes.</p> <p>6 Q. And did you get along with Alesha?</p> <p>7 A. The only time that I really -- we got</p> <p>8 along; but when I tried to tell her, she didn't</p> <p>9 try to hear me.</p> <p>10 Q. Say that again? When you tried to</p> <p>11 tell her, she what?</p> <p>12 A. She cut me off. She wasn't trying to</p> <p>13 hear me. She wasn't trying to listen.</p> <p>14 Q. Now, the second time that you worked</p> <p>15 at Sonic, who were the supervisors?</p> <p>16 A. It was -- Alesha was the manager, and</p> <p>17 then it was Eric and then Tay.</p> <p>18 Q. And what's Tay's last name?</p> <p>19 A. I think it's Davis. Her real name</p> <p>20 Shaquika or something.</p> <p>21 Q. Okay. Would Randle sound like her</p> <p>22 last name or -- you think it was Davis?</p> <p>23 A. I know that she said something about</p> <p>24 she was married or something once.</p> <p>25 Q. Okay.</p>

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<p>1 A. So I don't know if Davis or Randle her</p> <p>2 married name, but she went by Davis up there.</p> <p>3 Q. Okay. And did you get along with Tay?</p> <p>4 A. Me and Tay got along real good.</p> <p>5 Q. Okay. And do you think Tay was a fair</p> <p>6 supervisor?</p> <p>7 A. Up until the incident with Eric, yes.</p> <p>8 Q. Who interviewed you when you applied</p> <p>9 for the position?</p> <p>10 A. Alesha did.</p> <p>11 Q. Alesha?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. Okay. And at the time you were hired,</p> <p>14 you were provided a copy of Sonic's policies;</p> <p>15 isn't that right?</p> <p>16 A. I never received a copy of -- I signed</p> <p>17 some documents, but I never had anything to take</p> <p>18 home with me.</p> <p>19 Q. Okay. But there was a copy of the</p> <p>20 handbook that was there --</p> <p>21 A. I never read it -- I never -- they</p> <p>22 never gave it to me to take home. You know, I</p> <p>23 signed some documents, you know.</p> <p>24 Q. Okay. But one was made available to</p> <p>25 you; isn't that correct?</p>	<p>1 characteristic; isn't that right?</p> <p>2 A. Correct.</p> <p>3 Q. And that Sonic's policy required</p> <p>4 employees to report any incidents of</p> <p>5 discrimination or harassment; isn't that</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And you understood that you</p> <p>9 could report incidents of harassment to your</p> <p>10 manager all the way up to the owner of the</p> <p>11 company; isn't that right?</p> <p>12 A. Well, I went to Alesha, and I tried to</p> <p>13 talk to her.</p> <p>14 Q. Well, I'm just talking about at the --</p> <p>15 at the beginning of your employment, you</p> <p>16 understood that you could report those claims up</p> <p>17 the management chain all the way to the</p> <p>18 corporate office; isn't that correct? Because</p> <p>19 you called the corporate office.</p> <p>20 A. No. At first she never mentioned it.</p> <p>21 She told -- she never mentioned anything about</p> <p>22 if you have problems you can call corporate.</p> <p>23 She never said anything like that.</p> <p>24 Q. And how did you call corporate, then?</p> <p>25 How did you know how to call corporate?</p>
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<p>1 A. Not to take home with me.</p> <p>2 Q. Right.</p> <p>3 A. They never gave me a copy.</p> <p>4 Q. Right. But one was made available to</p> <p>5 you at the store; isn't that right?</p> <p>6 A. I don't know. They never said it --</p> <p>7 that -- well, here's the handbook. They never</p> <p>8 said that. I just -- when I got hired, it was</p> <p>9 papers that I signed, and that was it. They</p> <p>10 never said, Here's the handbook if you need to</p> <p>11 look through it or anything. They never said</p> <p>12 that.</p> <p>13 Q. They never told you that there was a</p> <p>14 handbook?</p> <p>15 A. They never -- I never saw -- I never</p> <p>16 got a handbook. I signed some documents that</p> <p>17 said something about discrimination. I don't</p> <p>18 know if those were copies of the handbook or</p> <p>19 what.</p> <p>20 Q. Okay. But you understood that Sonic</p> <p>21 had a policy that prohibited discrimination;</p> <p>22 isn't that right?</p> <p>23 A. Correct.</p> <p>24 Q. And also a policy that prohibited</p> <p>25 harassment based on sex or any other</p>	<p>1 A. I called corporate -- I googled the</p> <p>2 number I was just trying to -- I googled the</p> <p>3 number to corporate. That's how I got in touch</p> <p>4 with corporate.</p> <p>5 Q. Okay. But you did call corporate in</p> <p>6 order to report it?</p> <p>7 A. The number I called at first was in</p> <p>8 another state or something. It was the wrong</p> <p>9 one. So I kept googling till I found the right</p> <p>10 one in Columbus --</p> <p>11 Q. Okay.</p> <p>12 A. -- to call.</p> <p>13 Q. Okay. Now, the second time that you</p> <p>14 worked for Sonic, you earned \$7.25 an hour; is</p> <p>15 that right?</p> <p>16 A. Yes, until I became a manager.</p> <p>17 Q. And I don't see in the documents</p> <p>18 anywhere when you were hired that you were a</p> <p>19 manager-in-training. What -- your position is</p> <p>20 that you were going to become a manager at</p> <p>21 Sonic?</p> <p>22 A. Yes. I was training to be a manager.</p> <p>23 Alesha even told Claudia.</p> <p>24 Q. And who is Claudia?</p> <p>25 A. That's Tay's auntie. And she said,</p>

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<p>1 Oh, so you're training to be a manager. And I</p> <p>2 said, How do you know? And she said, Alesha</p> <p>3 told me. And I said, Yes. She said, Well, they</p> <p>4 wanted me to be a manager, but I didn't want to</p> <p>5 be naim.</p> <p>6 Q. Did Claudia work at Sonic?</p> <p>7 A. Yes, ma'am.</p> <p>8 Q. Okay. Did Alesha ever tell you that</p> <p>9 you were going to be a manager?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. And when did she tell you that?</p> <p>12 A. She told me when I was hired it was</p> <p>13 for that position and that in February I was</p> <p>14 supposed to be a manager.</p> <p>15 Q. But you weren't a manager-in-training;</p> <p>16 isn't that right?</p> <p>17 A. I was a manager-in-training.</p> <p>18 Q. You're saying that your position while</p> <p>19 you worked at Sonic was as a</p> <p>20 manager-in-training?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. And if Sonic's records don't indicate</p> <p>23 that you were a manager-in-training, do you have</p> <p>24 any reason why that would be?</p> <p>25 A. I don't understand why.</p>	<p>1 Q. And you're saying that she did that at</p> <p>2 the time that she hired you?</p> <p>3 A. When she hired me, I was supposed -- I</p> <p>4 was told that I was an MIT is what she said.</p> <p>5 Manager-in-training. And she said that she</p> <p>6 couldn't just start me off as a manager, so she</p> <p>7 would train me to be a manager; and after three</p> <p>8 months, if I was doing good, then I would be a</p> <p>9 manager.</p> <p>10 Well, right before this incident</p> <p>11 happened, like, around Thanksgiving -- it was</p> <p>12 after Thanksgiving. She was like, You're doing</p> <p>13 a good job; keep it up. February you'll be a --</p> <p>14 February you'll be a manager, just long as you</p> <p>15 keep it up.</p> <p>16 Q. And what particular training were you</p> <p>17 given as a manager?</p> <p>18 A. It was just -- I was trained on</p> <p>19 everything, like, cooking sandwiches, stocking.</p> <p>20 I was trained on everything. She told me I was</p> <p>21 supposed to go -- in January she told me that I</p> <p>22 would go to the front and start with the carhop.</p> <p>23 But I never got to that point.</p> <p>24 Q. Now, when it comes to the</p> <p>25 manager-in-training, you said that you were --</p>
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<p>1 Q. Okay. Do you have anything in writing</p> <p>2 that states that you were a manager-in-training?</p> <p>3 A. They never gave me anything.</p> <p>4 Q. Did you apply for a</p> <p>5 manager-in-training position?</p> <p>6 A. I think I -- I'm not sure, but I think</p> <p>7 I did.</p> <p>8 Q. Do you have any documents that show</p> <p>9 that you applied for a manager-in-training</p> <p>10 position?</p> <p>11 A. I don't.</p> <p>12 Q. And tell me exactly what you remember</p> <p>13 about the conversation about you being a</p> <p>14 manager-in-training.</p> <p>15 A. She told me that she couldn't start me</p> <p>16 off as a manager just, you know, coming through</p> <p>17 the door because she done did that before and it</p> <p>18 didn't work out right. So she said that she</p> <p>19 would train me, and she said after three months</p> <p>20 I could be a manager as long as I had everything</p> <p>21 down pat. And she told me that -- we had a</p> <p>22 conversation, and she said, Good job; keep it</p> <p>23 up. And she told me, You'll be getting right at</p> <p>24 \$9 and that I would be a manager in February</p> <p>25 long as I kept doing a good job.</p>	<p>1 you were -- you were a cook when you were</p> <p>2 working at Sonic; isn't that right?</p> <p>3 A. I was a cook and I fixed sandwiches,</p> <p>4 but -- I was a cook. I would fix sandwiches.</p> <p>5 That's what I started off doing. I also would</p> <p>6 be on the fryer. And the fryer, that's cooking.</p> <p>7 But I was supposed to go to the front starting</p> <p>8 January. But yes, I did start off cooking and</p> <p>9 fixing sandwiches.</p> <p>10 Q. Okay. And --</p> <p>11 A. And stocking.</p> <p>12 Q. Okay. And so when you're saying that</p> <p>13 you received training on cooking and stocking,</p> <p>14 that would be for the position of being a cook?</p> <p>15 A. No. I was supposed to be in --</p> <p>16 manager-in-training. To be a</p> <p>17 manager-in-training, you got to have the cooking</p> <p>18 down pat. You had to have the sandwiches down</p> <p>19 pat and the frying down pat. So I was working</p> <p>20 each area, you know, back and forth with that</p> <p>21 first before I was moved to the front.</p> <p>22 Q. Okay. I guess what I was asking, did</p> <p>23 you receive any training that was specific to a</p> <p>24 manager and not a cook?</p> <p>25 A. No. Well, she said when she wanted to</p>

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1 take me -- she didn't want to take me too fast.	1 -- when I got hired nothing was electronically
2 That's why it was....	2 signed.
3 Q. Now, when you were hired by Sonic, you	3 Q. You didn't go into a computer and sign
4 were paid \$7.25 an hour; isn't that right?	4 any documents?
5 A. Correct.	5 A. I signed computers -- I signed when I
6 MS. TAYLOR: I'm going to mark this as	6 was doing the computer -- the training about the
7 the next exhibit.	7 washing the hands and that training. But I
8	8 never signed this. The day I got hired, I did
9	9 not -- I haven't seen this form is what I'm
10	10 saying.
11 (Exhibit Number 9 marked.)	11 Q. Okay. So tell me what -- what
12 BY MS. TAYLOR:	12 training did you do on the computer when you
13 Q. Now, Ms. Haughton, this is the --	13 were hired by Sonic?
14 Sonic's New Hire Form, where they indicate your	14 A. It was telling me about the washing
15 rate of pay and how you're paid and what your	15 the hands and -- I can't remember everything,
16 position was. If you look on the very left-hand	16 but it was about the temperatures of the food
17 side in the file, it indicates your job code of	17 and stuff like that, about when you closing, how
18 being a cook; isn't that correct?	18 to close.
19 A. No, that's not -- I was told that I	19 Q. Was it on the process for cooking and
20 was an MIT.	20 what the standards were for Sonic for preparing
21 MS. TAYLOR: Let's go ahead and mark	21 food?
22 this as the next exhibit.	22 A. Yes.
23	23 Q. Did it go over Sonic's standards of
24	24 conduct?
25	25 A. I can't remember. I can't remember.
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1 Q. And, Ms. Haughton, what is marked as	1 I know the paper I signed, the one I printed and
2 Exhibit --	2 signed in cursive and dated, that one did.
3 MS. TAYLOR: What exhibit number?	3 Q. Went over the standards of conduct?
4 COURT REPORTER: 10.	4 A. Yes.
5 MS. TAYLOR: 10?	5 Q. Did it also go over the
6 BY MS. TAYLOR:	6 nondiscrimination policy?
7 Q. It looks like you electronically	7 A. Yes. The one I signed did.
8 signed this on November 12th of 2019, which is	8 Q. So you understood at that time, at
9 consistent with your hire date; isn't that	9 least, that Sonic had the standards of conduct,
10 right?	10 and they expected their employees to conduct
11 A. That's not correct.	11 themselves consistent with that; isn't that
12 Q. Did you not sign it electronically?	12 right?
13 A. No, ma'am.	13 A. Correct.
14 Q. How did you sign it?	14 MR. STUTZMAN: Object to the form.
15 A. I had a pen signing my papers.	15 You may answer.
16 Q. So you're saying you signed your	16 A. Okay. Correct.
17 Employee Acknowledgment?	17 BY MS. TAYLOR:
18 A. It was a piece of paper. I had to	18 Q. And you understood that Sonic's
19 write in print, sign it, and date it. It was	19 policies prohibited sexual harassment in the
20 not electronically.	20 work place; isn't that right?
21 Q. Okay. Was the form the same?	21 A. Correct.
22 A. I never seen this form before.	22 Q. And you also understood that Sonic's
23 Q. Okay. So you're saying that you did	23 policies prohibited anyone from engaging in
24 not electronically sign this document?	24 threatening or abusive conduct; isn't that
25 A. I would have remembered signing it. I	25 correct?

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1 A. Correct.	1 handbook, it was -- I signed it. It wasn't like
2 Q. And you understood that Sonic's policy	2 this. It wasn't.
3 prohibited anyone from using profane language in	3 Q. Okay. Okay. But you do agree, as
4 the workplace; isn't that right?	4 part of your -- Sonic's standards of conduct,
5 A. Correct.	5 that they prohibited rude or disrespectful
6 MR. STUTZMAN: Robin, how much longer	6 conduct to customers or to other employees,
7 do you think we'll be going?	7 correct?
8 MS. TAYLOR: Well, you know, it's	8 A. Yes, ma'am.
9 12:09 now. I expect that we will probably	9 Q. And they prohibited insubordination or
10 go for another hour or two hours. So if we	10 disrespectful conduct to members of management;
11 want to go ahead and take a break now and	11 isn't that right?
12 then just reconvene --	12 A. Yes.
13 MR. STUTZMAN: I'd like to get some	13 Q. And they also prohibited violence or
14 lunch.	14 threats of violence; isn't that correct?
15 MS. TAYLOR: Okay.	15 A. Yes.
16 MR. STUTZMAN: I'm getting hungry.	16 Q. And you can understand, similar to
17 MS. TAYLOR: I think that's okay.	17 your work at Food Giant, that it would -- that
18 Let's go ahead and do that. And how long	18 Sonic needs to ensure that its customers have --
19 do y'all think we need to take for lunch?	19 are treated respectfully and have a good
20 Do y'all want to take one hour or --	20 experience while visiting the Sonic; isn't that
21 THE WITNESS: Well, I got dropped off	21 right?
22 here, so I'll probably just stay to make	22 A. Yes. I didn't deal with customers;
23 sure I don't miss it.	23 but yes, I do agree with that.
24 MR. STUTZMAN: Okay. We can keep	24 Q. All right. Now, you had mentioned
25 going.	25 earlier that during your second time that you
Page 103	Page 105
1 MS. TAYLOR: Well, actually, I	1 worked at Sonic, that you had Alesha Gardner,
2 wouldn't -- I haven't eaten today at all,	2 who was the -- I guess that would be the general
3 so I wouldn't mind taking just a quick	3 manager; is that correct?
4 30-minute break so I could just get a	4 A. Yes. Correct.
5 little bit of food. Is that all right with	5 Q. And she's the individual who hired
6 y'all?	6 you, correct?
7 MR. STUTZMAN: Yeah. I'll hit the	7 A. Correct.
8 snack machine.	8 Q. And then there was also Eric Ellis,
9 MS. TAYLOR: Okay. Okay. That works	9 who was an assistant manager; is that right?
10 for me.	10 A. Correct.
11 (Brief recess.)	11 Q. And then you also said that there was
12 BY MS. TAYLOR:	12 a lady by the name of Tay Davis?
13 Q. Okay. So when we broke for lunch, we	13 A. Correct.
14 were talking about your training --	14 Q. And were you aware that she was a
15 A. Yes, ma'am.	15 manager on duty, meaning that she wasn't an
16 Q. -- that you had related to your work	16 assistant manager or a --
17 at Sonic. And you said that you did some online	17 A. Well, she was the --
18 training?	18 Q. -- general manager?
19 A. Yes. It was some online training	19 A. Yeah. She wasn't the general manager
20 about the food temperatures and the rules and	20 but she was a manager.
21 stuff.	21 Q. Okay. If you had to describe the,
22 Q. Okay. And it also included your --	22 kind of, hierarchy of management at the Sonic
23 the standards of conduct?	23 how would you describe it?
24 A. I don't remember. But I do know that	24 A. Could you rephrase that?
25 the paper I signed that said something about	25 Q. Yeah. Like, would -- would Eric Ellis

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1 have to report to Alesha Gardner?	1 Do something strange for a little -- and he'd
2 A. No.	2 also will say, I'll make you "holla for a
3 Q. So she would not supervise him as far	3 dolla." Stuff like that.
4 as what he does?	4 Q. And when did he say that?
5 A. No, ma'am.	5 A. He said stuff all the time. That's
6 Q. Okay. And would Tay Davis have to	6 the only inappropriate things he said. He would
7 report to Alesha Gardner?	7 sing, like, Keith Sweat songs, like -- but yeah,
8 A. She would.	8 he....
9 Q. And Alesha Gardner would oversee and	9 Q. How many times did he say, Do
10 supervise what she did?	10 something strange -- what did you say he said?
11 A. Yeah, she would.	11 A. Do something strange for a little
12 Q. And why don't you think that Eric	12 piece of change. He only said that once. And
13 Ellis reported to Alesha Gardner?	13 I'll make you "holla for a dolla," he only said
14 A. Because she told me in her own mouth,	14 that once. But he also sung, "Back that A up."
15 when I tried to tell her, that, This is my	15 Q. When did he tell you -- did he say
16 store. You'll never see the owner of this	16 that to you?
17 store, so I'm here. This my store. When I'm	17 A. Yes, ma'am. I backed up and looked at
18 not here Eric is in charge. Eric is my	18 the screen and he said -- that's when he said,
19 right-hand man.	19 "back that ass up." And when I -- I --
20 That's exactly what she told me.	20 Q. Let's first talk about do something
21 Q. Okay. When did she tell you that?	21 strange for a little piece of change. When did
22 A. I can't remember the exact -- I can't	22 he tell you that?
23 remember the exact date, but it was before the	23 A. It was -- it was before the incident.
24 incident happened. I tried to tell her about	24 Maybe two weeks before the incident.
25 Eric.	25 Q. And when you refer to the incident, is
Page 107	Page 109
1 Q. So you're saying before the incident	1 that the one that you reported regarding --
2 happened you tried to tell her about Eric?	2 A. What he did.
3 A. Yes, ma'am.	3 Q. -- him coming up behind you as you
4 Q. What did you try to tell her?	4 were leaning over a trash can?
5 A. I told her I said, Eric be -- when I	5 A. Yes, ma'am.
6 work with Eric he touch -- and she was like --	6 Q. Okay. And tell me the circumstances
7 and she cut me off. She wasn't trying to hear	7 of him saying something along the lines of do
8 me.	8 something strange for a little piece of change.
9 Q. Okay. And what were you trying to	9 A. He would just blurt it out, you know.
10 tell her again?	10 He -- he sung a lot.
11 A. That he would touch my hand and sing	11 Q. Is that a song that he was singing?
12 songs to me.	12 A. I don't know about do something
13 Q. And what songs?	13 strange for a little piece of change, but I'm
14 A. "Back that A up."	14 saying he -- he would sing a lot, and he would
15 Q. Does that mean back that ass up?	15 just say stuff.
16 A. Yes, ma'am.	16 Q. Well, what were the circumstances
17 Q. Okay.	17 surrounding him saying, Do something strange for
18 A. "Drop it like it's hot." He would	18 a little piece of change?
19 say, Do something strange for a little piece of	19 A. I don't know. He just -- that was --
20 change.	20 he just did it. I don't know.
21 Q. Excuse me?	21 Q. And are you saying that he said that
22 A. He'd say, Do something strange for a	22 to you?
23 little piece of change.	23 A. When he said it, I was beside him. He
24 Q. Okay. Is that a song he would sing?	24 was looking at me. He -- I don't know for a
25 A. He would say that. He would say that,	25 fact he was talking to me, but he was looking at

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1 me and he said it when I walked by him.	1 Q. And then you left Sonic December 31st
2 Q. And was anyone else around when he	2 of 2019. So that's --
3 said this?	3 A. They fired me December 31st.
4 A. Somebody was always around, but they	4 Q. So that's about, I guess, a --
5 didn't -- like, they didn't -- it was okay for	5 A. It was December 30th or 31st when they
6 them.	6 fired me.
7 Q. So who was around specifically when he	7 Q. Okay. And that's about a month and a
8 said do something strange for a little piece of	8 half that you worked there?
9 change?	9 A. Yes.
10 A. Tay was there. If I'm not mistaken, I	10 Q. Okay. And so when -- when was -- how
11 think Claudia was there.	11 soon into your employment there did he call you
12 Q. Did you ever have a conversation with	12 baby?
13 Tay or Claudia about him making that comment?	13 A. It was -- ooh, a -- probably about a
14 A. With Claudia.	14 week --
15 Q. When did you have that conversation?	15 Q. Okay.
16 A. It was that same day. And I was like,	16 A. Before that happened.
17 why he do that? Why he -- and she said, I asked	17 Q. Before the trash can incident
18 him the same thing, and he said that he wouldn't	18 happened?
19 do it if he didn't like you. He didn't -- he	19 A. Yes.
20 wouldn't do it if -- not me, but just if he	20 Q. Okay. And you told him not to call
21 didn't like a person. He wouldn't do it if he	21 you that?
22 didn't like a person.	22 A. I did, yes.
23 Q. What did she mean by that, if you	23 Q. And when did he refer to you as Baby
24 know?	24 again?
25 A. I have no idea.	25 A. He was like, Excuse me, Baby.
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1 Q. Did you ever have a conversation with	1 Q. Excuse me?
2 Tay about that?	2 A. He said, Excuse me, Baby.
3 A. No, because -- no.	3 Q. Okay. Did you ever hear him refer to
4 Q. And what else did he say that you	4 other people as Baby?
5 thought was inappropriate?	5 A. I never heard him.
6 A. He called me Baby before. You're	6 Q. When was the last time that he called
7 talking about besides him singing the songs?	7 you Baby?
8 Q. Yes.	8 A. On that same day.
9 A. He called me Baby, and I asked him not	9 Q. What same day?
10 to do that.	10 A. The first time -- the first time he
11 Q. How many times did he call you Baby?	11 said Baby, he was like, Slow down, Baby, because
12 A. He did it twice after I -- the very	12 I was washing the dishes. And I asked him not
13 first time I asked him not to, he did it again.	13 to call me that. And the second time he was
14 Q. He did it one more time again?	14 like, Excuse me, Baby.
15 A. Just one more time, yes.	15 Q. Okay. And it was that same day --
16 Q. And was that -- so you were hired	16 A. Yes, ma'am.
17 November -- what was that? November 22nd, is	17 Q. -- that you asked him not to?
18 that right?	18 A. Yes.
19 A. No. I was --	19 Q. But he didn't call you Baby after
20 Q. Of 2019?	20 that?
21 A. 12.	21 A. No.
22 Q. November 12 --	22 Q. Okay. What other comments did he make
23 A. Yes.	23 that you thought were inappropriate?
24 Q. -- of 2019.	24 A. That's all I that can remember. The
25 A. Yes.	25 singing and -- that's all that I can remember is

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1 the singing and him saying that. And like, when	1 and he'll say it out loud, you know. So he'll
2 I passed him food, he'll try to, like -- you	2 be looking at me when he say it. I don't -- I'm
3 know, you passing the food he'll do this	3 not sure if he was just talking to me, but he
4 (indicating). You know, instead of just	4 would be looking directly at me when he say it.
5 grabbing it he would do like -- put his hand	5 Q. And were other people around when he
6 over your hand like that (indicating).	6 said that?
7 Q. Okay. So I just want to make sure the	7 A. Yes, other people was around.
8 record is clear because the court reporter is --	8 Q. And who was around?
9 A. Okay.	9 A. I don't know. I just know that
10 Q. -- taking it down. He would touch	10 everybody heard him -- everybody I worked with
11 your hand when --	11 been heard him sing and say stuff.
12 A. Yes.	12 Q. Okay. And -- but particularly when he
13 Q. -- you handed him food?	13 said make you holler for a dollar --
14 A. Being extra friendly, yes.	14 A. Uh-huh.
15 Q. What songs did he sing?	15 Q. -- was there anyone that was around
16 A. It was "drop it like it's hot" and	16 that heard that?
17 "back that A up." And that "drop it like it's	17 A. I know Claudia and Tay was around when
18 hot," I don't know if that's a song or not, but	18 he was -- Alesha have been around when she....
19 he used to say it.	19 Q. Who was around when he said make you
20 Q. And when did he sing that?	20 holler for a dollar?
21 A. He said that a lot. Make you "holla	21 A. I can't remember exactly who was
22 for a dolla," he only said that that one time.	22 around. I just know -- I can't remember exactly
23 But he -- he said "back that A up" -- he used to	23 who I was working with that day.
24 sing that a lot.	24 Q. Now, when you were hired, you were
25 Q. And what do you mean "a lot"? How	25 hired as a part-time employee; is that correct?
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1 many times?	1 A. I was supposed to be -- start off --
2 A. I don't know. It just -- he would	2 she was going to start me off for -- between 30
3 just sing it, like -- I want to say every time I	3 and 35 hours. 25 to 35, something. She said
4 worked with him, but I know it was more than	4 it'll be somewhere up in there before I go to
5 twice, more than three times. I would say more	5 full-time. She said when I became an actual
6 than three times, I know.	6 manager, that's when I would be full-time.
7 Q. Would you say less than five?	7 Q. So during the time that you worked for
8 A. Less than five, yes, ma'am.	8 Sonic, you only worked about 20 hours a week;
9 Q. How many times did he say make you	9 isn't that right?
10 holler for a dollar?	10 A. No. I worked more. 20 hours -- yeah.
11 A. I only heard him say it once.	11 Yes, ma'am. A week, yes.
12 Q. Say that again?	12 Q. That's correct.
13 A. I think he only said that once.	13 What other comments did Eric Ellis
14 Q. And when did he say that?	14 make?
15 A. It was a couple of weeks before that	15 A. That's all I can remember.
16 happened.	16 Q. Okay.
17 Q. You mean the trash can situation?	17 A. You -- probably....
18 A. Yes, ma'am.	18 Q. And you mentioned earlier that you
19 Q. Okay. And what were the circumstances	19 spoke with Alesha Gardner about Eric Ellis?
20 surrounding him saying that?	20 A. Yes, ma'am.
21 A. Could you rephrase that?	21 Q. And when did you do that?
22 Q. Yeah. What -- where -- when he said	22 A. It was about two weeks before the
23 make you holler for a dollar, was he speaking to	23 incident happening. It was after he was singing
24 you?	24 a song and touched my hand.
25 A. All I know, he would be looking at me	25 Q. What song?

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1 A. "Back that A up"....	1 say or something.
2 Q. Did you ever tell him not to touch	2 She cut me off, and she was like, This
3 your hand?	3 is my store. When I'm not here, Eric in charge.
4 A. I really wanted to keep my job.	4 He my right-hand man. You'll never see the
5 That's why I went to Alesha. But Alesha told me	5 owner of this store. So therefore, this is my
6 that he was -- that -- I went to her first	6 store.
7 before I said anything to him. And she -- after	7 Q. Did you tell her that he touched your
8 she told me what she said, I was -- I didn't say	8 hand or did you not get it out?
9 anything, you know. I would get to the point	9 A. I didn't because Alesha was drunk -- I
10 where I'd try to hurry and just sit the food	10 didn't see her drinking, but I smelled the
11 down so he could just pick it up without having	11 alcohol. She -- she was -- it's hard to
12 to touch my hand but I didn't always pass the	12 explain, but she wasn't trying to hear me.
13 food, you know. He didn't do that all the time.	13 Q. And when did you speak to her?
14 It was just sometime whenever I was working, you	14 A. I told her about that two weeks before
15 know, bagging up the food he would do it.	15 that happened.
16 Q. About how many times did he touch your	16 Q. Did you speak to her by telephone, or
17 hand?	17 did y'all speak in person?
18 A. At least three.	18 A. In person. And Barbara seen when I
19 Q. And you never -- you never told him	19 called her and asked to speak to her a minute.
20 not to touch your hand; is that correct?	20 Q. Say that one more time?
21 A. Correct.	21 A. Barbara standing right there when I
22 Q. And you never told him not to sing the	22 said, Alesha, may I speak to you for a moment?
23 songs; is that correct?	23 Q. And who is Barbara?
24 A. Correct.	24 A. Barbara Crawford.
25 Q. When he made the comment, Make you	25 Q. Was Barbara Crawford -- was she also a
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1 holler for a dollar, you didn't tell him not to	1 cook?
2 say that; is that right?	2 A. Yes.
3 A. I just ignore him. No, I didn't.	3 Q. Did you get along with Barbara?
4 Q. And you didn't tell him not to say, Do	4 A. I didn't have no problems with
5 something strange for a little piece of change?	5 Barbara.
6 You didn't tell him not to say that either; is	6 Q. Do you think Barbara would say
7 that right?	7 anything untruthful about you?
8 A. Correct. I was just trying to ignore	8 A. I got along with everybody there till
9 him.	9 after that happened.
10 Q. But you did tell him not to call you	10 Q. Do you have any reason to believe that
11 Baby; is that correct?	11 Barbara would say anything untruthful about you?
12 A. Yes, ma'am.	12 A. I don't know. Everybody turned on me.
13 Q. And when you told him that, he did it	13 Q. Do you remember, when you spoke with
14 one more time but never did it again.	14 Alesha Gardner, was that -- well, what time of
15 A. Correct.	15 the day was it?
16 Q. And you said that you spoke with	16 A. I'm not sure. I don't know. I don't
17 Alesha Gardner about two weeks before --	17 know.
18 A. Correct.	18 Q. Was it during your shift when you
19 Q. -- the trash can incident?	19 spoke to her?
20 A. Correct.	20 A. Yes, it was during my shift.
21 Q. Okay. And tell me what you told her.	21 Q. What was the shift that you worked?
22 A. I told her, I said, When I work with	22 A. It was 5:00 to 9:00 or 5:00 to 10:00,
23 Eric, he touch -- and she was like, Let me stop	23 starting off, until I became manager.
24 you -- she said, Let me tell you: This my	24 Q. So you were working after -- after
25 store -- it's like she knew what I was fixing to	25 5:00 until close?

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<p align="right">Page 122</p> <p>1 A. Well, I wasn't supposed to close until 2 January. But one night Tay asked me to help 3 close because somebody didn't come in. So I was 4 like, Sure, I'll help you. So I helped her 5 close that night. 6 And the night the incident happened 7 she said my schedule -- Eric changed it so I 8 could work with him because she told him how 9 well I did holding down the kitchen by myself, 10 and said he didn't believe it, so he wanted to 11 see for himself, so he put it so I could work -- 12 close with him that night. 13 Q. Okay. But typically you would work 14 from 5:00 till 10:00? 15 A. 5:00 to 9:00 or 5:00 to 10:00. 16 Q. What time does Sonic close at night? 17 A. 10:00 through the week, I think, and 18 11:00 on the weekend. 19 Q. Did you speak with anyone else about 20 your concerns about Eric? 21 A. No. 22 Q. Do you have anything in writing about 23 your conversation with Alesha Gardner a couple 24 of weeks before the trash can incident? 25 A. No, I didn't write it down because I</p>	<p align="right">Page 124</p> <p>1 A. She didn't care. She drunk a lot. 2 She was -- I never seen her drinking. I'm not 3 going to -- but I smelled it on her. I've seen 4 cans in the garbage can. I've... 5 Q. Did you see her -- you never saw her 6 drink? 7 A. I never saw her. I just -- it was 8 loud on her. 9 Q. And how many times did you see cans in 10 the garbage can? 11 A. I only seen cans once. When Claudia 12 and Barbara was emptying the garbage can, they 13 said, This don't make sense at all. Pitiful. 14 That's they word. 15 Q. And how many cans were in the garbage? 16 A. I seen two. 17 Q. And how many times did you smell 18 alcohol on Alesha? 19 A. A lot. Like, I don't remember -- I 20 remember one time when I didn't smell it and 21 that's when I got hired. Other than that it was 22 on her. 23 Q. Did you smell alcohol on anyone else? 24 A. Eric, but his wasn't as loud as 25 Alesha.</p>
<p align="right">Page 123</p> <p>1 didn't think it'll get to this, you know. I 2 never wrote that down. 3 Q. Okay. Did you ever complain to Alesha 4 Gardner about anything else while you were 5 working at Sonic? 6 A. No. I remember one night that I was 7 in tears just because of how she would drink, 8 and I was trying to learn and stuff. And I told 9 her that -- I talked to her, and she -- she 10 said, It's going to be -- I never said anything 11 about her drinking specifically. But I was 12 like, I just feel uncomfortable here. And she 13 was like, It's going to be all right. 14 It was another manager there that 15 night from Columbus. She saw me crying. 16 Q. And what was the other manager's name? 17 A. I'm not sure because she was just 18 filling in for Eric at that time because he was 19 on vacation or something. So I'm not sure what 20 her name is. I just know she was from Columbus. 21 Q. And when did you -- when did you cry 22 and tell her -- what did you tell her? 23 A. I just told her that I was 24 uncomfortable here. 25 Q. Okay. Did she ask you why?</p>	<p align="right">Page 125</p> <p>1 Q. And how many times did you smell 2 alcohol on Eric's breath? 3 A. Only twice on him. 4 Q. How many times did you work with Eric? 5 A. I don't -- I don't know. I don't 6 know. I know it was more than five times, but I 7 don't know. That's me -- him being there while 8 I was there, because he changed my schedule to 9 his shift, to work with him, the day shift. And 10 I talked to Alesha about it and she changed it 11 back to the night shift. 12 Q. Okay. So who worked the night shift? 13 A. The managers will take turns, but on 14 -- and see, that week that he changed it, he was 15 on days, so -- he was on days that week. And I 16 came to her and asked her why my schedule was 17 changed, you know, because she -- we had already 18 agreed that I work from 5:00 to either 9:00 or 19 5:00 to closing until I actually became a 20 manager, you know. 21 Q. Okay. And so how -- when your 22 schedule -- well, when was your schedule 23 switched to days? 24 A. It was a few weeks before that 25 happened. It was a few weeks before that</p>

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<p>1 happened. I don't know exactly when. I don't</p> <p>2 know exactly when, but I know he change -- they</p> <p>3 -- he changed it to his shift.</p> <p>4 Q. Was it -- was it before the trash can</p> <p>5 incident or after the trash can incident?</p> <p>6 A. It was before it.</p> <p>7 Q. Okay. And how many weeks before, if</p> <p>8 you know?</p> <p>9 A. I want to say it was, like, two, maybe</p> <p>10 -- I'm not really sure.</p> <p>11 Q. Were you switched back to the nights?</p> <p>12 A. Yes.</p> <p>13 Q. Did you ever make any other complaints</p> <p>14 about anything at work to Alesha or to anyone</p> <p>15 else?</p> <p>16 A. Not that I can remember.</p> <p>17 Q. Do you have any other complaints about</p> <p>18 your work at Sonic?</p> <p>19 A. Everything was fine until after that</p> <p>20 happened.</p> <p>21 Q. When did you -- because you said</p> <p>22 earlier that you were crying at work one day and</p> <p>23 told Alesha that --</p> <p>24 A. I mean, yes, that. I'm saying, like,</p> <p>25 I don't -- besides that? What I mean by I don't</p>	<p>1 A. No.</p> <p>2 Q. Do you have any reason to believe that</p> <p>3 Mike Hill would say anything untruthful about</p> <p>4 you?</p> <p>5 A. I don't see why he would because --</p> <p>6 Q. What's Jordan's last name?</p> <p>7 A. I don't know Jordan's last name.</p> <p>8 Q. Does Jordan Atkinson sound correct?</p> <p>9 A. I really -- even when I went to the</p> <p>10 police station, I told them I don't know -- I</p> <p>11 don't know her last name.</p> <p>12 Q. Okay. And did you get along with</p> <p>13 Jordan?</p> <p>14 A. I didn't really know her like that.</p> <p>15 It's like we worked together, you know. But we</p> <p>16 didn't have any problems.</p> <p>17 Q. You didn't have any issues with her?</p> <p>18 A. No.</p> <p>19 Q. Do you have any reason to believe that</p> <p>20 she would say anything untruthful about you?</p> <p>21 A. No.</p> <p>22 Q. And Claudia is your aunt?</p> <p>23 A. No, ma'am. She's Tay's auntie. I</p> <p>24 don't know her last name.</p> <p>25 Q. And did you know Claudia before you</p>
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<p>1 have anymore complaints, he was -- I already</p> <p>2 discussed the fact that he was, you know,</p> <p>3 touching my hand and singing songs and stuff. I</p> <p>4 didn't have -- what I mean by that is I didn't</p> <p>5 have any problems with Tay. I didn't have any</p> <p>6 major problem with Alesha besides, you know, I</p> <p>7 tried to tell her and she wasn't trying to hear</p> <p>8 me, and when I was crying at work I told her I</p> <p>9 felt uncomfortable. But other than that, there</p> <p>10 was nothing -- there was nothing else that I can</p> <p>11 remember.</p> <p>12 Q. Okay. So let's talk about kind of the</p> <p>13 other employees that you worked with. Who all</p> <p>14 did you work with in the kitchen?</p> <p>15 A. Barbara, Jordan, Mike, and Claudia;</p> <p>16 and a new guy had came, but I only worked with</p> <p>17 him once or twice.</p> <p>18 Q. And what's Mike's last name?</p> <p>19 A. I want to say his last name was Hill.</p> <p>20 Yeah, it was Hill.</p> <p>21 Q. And did you get along with Mike Hill?</p> <p>22 A. I didn't have -- he never said</p> <p>23 anything to me, you know.</p> <p>24 Q. So you didn't have any problems with</p> <p>25 him?</p>	<p>1 worked at Sonic?</p> <p>2 A. No, ma'am.</p> <p>3 Q. And did you get along with Claudia?</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. And do you have any reason to believe</p> <p>6 that she would say anything untruthful about</p> <p>7 you?</p> <p>8 A. No, ma'am.</p> <p>9 Q. What about the carhops who worked --</p> <p>10 or I guess they're servers. Do you call them</p> <p>11 servers or carhops?</p> <p>12 A. Carhops.</p> <p>13 Q. Carhops? Who were the carhops who</p> <p>14 worked with you?</p> <p>15 A. One of them was one they called Twin.</p> <p>16 I don't know her real name. But she's from</p> <p>17 Aberdeen. She's young, like she -- I think her</p> <p>18 last name is Thomas, but I don't know -- well,</p> <p>19 her -- she -- her mother is a Thomas. I know of</p> <p>20 her mother, but I don't know her, you know.</p> <p>21 When I stayed at 307 Hardy Street, they stayed</p> <p>22 at 307 Hardy. That was years ago.</p> <p>23 Q. Okay. Any other carhops that worked</p> <p>24 with you when you worked there?</p> <p>25 A. Yes, it was. I don't know her name,</p>

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<p>1 but it was -- I really didn't know them like</p> <p>2 that. It was another girl named -- that night</p> <p>3 she was yelling. She was meddling with them,</p> <p>4 like, picking at me. What's her name? I forgot</p> <p>5 her name. I forgot her name.</p> <p>6 It was another carhop, a new girl</p> <p>7 named Christina or something.</p> <p>8 Q. And you're saying that she yelled at</p> <p>9 you?</p> <p>10 A. Huh-uh. It was -- what is her name?</p> <p>11 I don't know her name. I forgot her name.</p> <p>12 Q. Any other carhops that you can recall?</p> <p>13 A. Alexius Ellis. Yeah.</p> <p>14 Q. Say that again.</p> <p>15 A. Alexius Ellis.</p> <p>16 Q. Okay. She was another carhop?</p> <p>17 A. Yes.</p> <p>18 Q. And is she related to Eric Ellis?</p> <p>19 A. That's his daughter.</p> <p>20 Q. How old was Alexius, if you know?</p> <p>21 A. I don't know how old she was.</p> <p>22 Q. Do you know if she had graduated from</p> <p>23 school yet?</p> <p>24 A. Yes, she had graduated from school.</p> <p>25 Q. Do you know how long she had worked at</p>	<p>1 you see what he did? And she was like, Girl,</p> <p>2 yes. And I told her I said, I'm fixing to go.</p> <p>3 And she was like, Don't leave. I said, No, I'm</p> <p>4 not staying here. I'm fixing to go. And she</p> <p>5 said, Don't leave me because he did the -- she</p> <p>6 said, I'm going to be back here with him by</p> <p>7 myself, and he did the same thing to me.</p> <p>8 Q. And that was Jordan?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. Okay. So let's go back to the</p> <p>11 incident. Did you see where Eric was before you</p> <p>12 leaned over the trash can? Did you know where</p> <p>13 he was in the store?</p> <p>14 A. I wasn't really paying attention. I</p> <p>15 was just cleaning. And I noticed the bag fell</p> <p>16 down and I pulled the -- I got the bread off the</p> <p>17 top of the garbage and was putting inside the --</p> <p>18 inside the bag. And I was fixing to pull it up,</p> <p>19 you know. It happened so fast, you know. And I</p> <p>20 was, like, in shock for, like, a few seconds.</p> <p>21 Q. Now explain to me what -- you said</p> <p>22 that you felt stroking?</p> <p>23 A. It was like a stroke and a grind,</p> <p>24 like.</p> <p>25 Q. What do you mean by a stroke and a</p>
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<p>1 Sonic?</p> <p>2 A. She was there before I started.</p> <p>3 Q. And did you get along with Alexius?</p> <p>4 A. Yes.</p> <p>5 Q. Any other carhops that you can think</p> <p>6 of?</p> <p>7 A. I can't remember. I cannot remember.</p> <p>8 Q. Okay. Tell me what happened the night</p> <p>9 that you claim that Eric Ellis was inappropriate</p> <p>10 with you when you leaned over a trash can. Tell</p> <p>11 me, where were you and what -- what time of the</p> <p>12 night was that?</p> <p>13 A. It was around 7:00-something. I was</p> <p>14 just got done with -- work had got slow, and so</p> <p>15 I started cleaning my work area. And I noticed</p> <p>16 that the trash bag fell down into the can, into</p> <p>17 the trash can. So I bent over to pull the trash</p> <p>18 can -- the trash bag out the -- up over the</p> <p>19 trash can, and I felt grinding stroke feeling</p> <p>20 behind me. And I looked to the side and all I</p> <p>21 seen was that big grin on his face.</p> <p>22 And I looked and I seen -- I seen</p> <p>23 Jordan was looking, but I didn't know if she</p> <p>24 actually seen what he did. So after he did it,</p> <p>25 he went outside. And I asked her I said, Did</p>	<p>1 grind?</p> <p>2 A. It felt like he was humping me and</p> <p>3 moving, like.</p> <p>4 Q. How long did it last?</p> <p>5 A. It didn't last long at all.</p> <p>6 Q. Would it have lasted a second?</p> <p>7 A. It was longer than a second.</p> <p>8 Q. Was it longer than two seconds?</p> <p>9 A. I would say maybe -- maybe three</p> <p>10 seconds.</p> <p>11 Q. And did he say anything as he moved</p> <p>12 by? Did he say, Excuse me, or make any comment?</p> <p>13 A. He say, Excuse me. But he had a big</p> <p>14 grin on his face.</p> <p>15 And Jordan was like, I know he tried</p> <p>16 to do it because all of that space, he could</p> <p>17 have went around you, and he did me like that.</p> <p>18 That's why she don't like working with</p> <p>19 him by herself.</p> <p>20 Q. Now, the area between, I guess, you</p> <p>21 and the trash can, was there a walkway by the</p> <p>22 trash can?</p> <p>23 A. It was, like, a walkway; but it was</p> <p>24 also another space. It was, like, a deep space</p> <p>25 where he could have went out. He had plenty of</p>

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<p>1 space to walk out instead of, you know --</p> <p>2 Q. How wide was the space that he had to</p> <p>3 walk through?</p> <p>4 A. I would say about -- that area was</p> <p>5 probably about an aisle and a half, an aisle,</p> <p>6 because the garbage can was pushed back, and I</p> <p>7 was bent over -- he had space. I don't know</p> <p>8 exactly how many space. I don't know exactly.</p> <p>9 But I know it was plenty of space. If you see</p> <p>10 it, you'll know exactly what I'm talking about.</p> <p>11 Q. Was -- was it as wide as this table?</p> <p>12 A. It was wider than this table.</p> <p>13 Q. Okay. So this table -- what do you</p> <p>14 think? Do you think this table is three feet</p> <p>15 wide?</p> <p>16 A. You talking about across like this?</p> <p>17 Q. That's correct?</p> <p>18 A. Yes, it's -- it's wider than this</p> <p>19 table.</p> <p>20 Q. How wide -- how much wider?</p> <p>21 A. Maybe a few extra inches wider.</p> <p>22 Q. So maybe a little bit more than three</p> <p>23 feet?</p> <p>24 A. Yes.</p> <p>25 Q. Okay.</p>	<p>1 "he did the same thing to me"?</p> <p>2 A. I didn't.</p> <p>3 Q. And what did she say?</p> <p>4 A. I -- I didn't ask her.</p> <p>5 Q. Oh, you did not ask her. Okay.</p> <p>6 Was there anyone else in the Sonic or</p> <p>7 in the cooking area?</p> <p>8 A. The car -- at that time the carhops</p> <p>9 had took an order outside. It was just me,</p> <p>10 Jordan, and Eric.</p> <p>11 Q. Okay. So when Jordan told you you</p> <p>12 needed to stay or asked you to stay, did you</p> <p>13 stay?</p> <p>14 A. Yes, ma'am. I told her that I would</p> <p>15 stay as long as I could, but I was going to have</p> <p>16 to leave because I'll be left with him by</p> <p>17 myself, and I couldn't take -- I wouldn't be</p> <p>18 able to, you know, take no break. He was, like,</p> <p>19 no, he -- you know, I didn't want to be -- I</p> <p>20 didn't want her to be there by herself, but I</p> <p>21 felt like I needed to go get some help, so....</p> <p>22 Q. And why did you feel like you needed</p> <p>23 to go get some help?</p> <p>24 A. I needed to get somebody -- because of</p> <p>25 what he did to me. I felt violated, like -- it</p>
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<p>1 A. Because the garbage can was, like, in</p> <p>2 a dip, like, you know. And so I'm up over the</p> <p>3 garbage, you know. So he had space to go around</p> <p>4 me.</p> <p>5 Q. Okay. Did you say anything?</p> <p>6 A. I was shocked. He went outside after</p> <p>7 that, but I was shocked for a few seconds.</p> <p>8 Like, right after that he went outside and --</p> <p>9 Q. So you did not say anything?</p> <p>10 A. No.</p> <p>11 Q. Okay. And did he have anything in his</p> <p>12 hands as he walked by you with the trash can?</p> <p>13 A. No. He reached up but he didn't grab</p> <p>14 nothing because it was, like, some -- some cups</p> <p>15 and stuff. He didn't grab nothing. He reached</p> <p>16 up like he might have been grabbing at something</p> <p>17 and walked on outside.</p> <p>18 Q. And what -- tell me exactly what</p> <p>19 Jordan told you.</p> <p>20 A. She told me, she was like, Don't leave</p> <p>21 me. And I said, I'm fixing to go. And she was</p> <p>22 like, Don't leave me because I'm going to be</p> <p>23 back here with him myself and he did the same</p> <p>24 thing to me.</p> <p>25 Q. And did you ask her what she meant by</p>	<p>1 wasn't right.</p> <p>2 Q. Now, is there any -- do you think that</p> <p>3 there is any possibility that Eric was trying to</p> <p>4 pass by you as you leaned over the trash can and</p> <p>5 bumped against you?</p> <p>6 A. I raise my --</p> <p>7 MR. STUTZMAN: Object to the form.</p> <p>8 You can answer.</p> <p>9 A. I raise my right hand to God that I'm</p> <p>10 a hundred percent sure that he did that</p> <p>11 intentionally.</p> <p>12 BY MS. TAYLOR:</p> <p>13 Q. Did you ever ask him why he did that</p> <p>14 or if he did that?</p> <p>15 A. I was, like, shocked. Right after he</p> <p>16 did that he went outside. And I was shocked</p> <p>17 that he did that, like -- because he did the</p> <p>18 little other stuff but....</p> <p>19 Q. And so you did not ask him?</p> <p>20 A. No, I didn't.</p> <p>21 Q. How long did you stay after that</p> <p>22 exchange?</p> <p>23 A. That happened at 7:00-something. She</p> <p>24 get off at -- she was going to get off at 9:00</p> <p>25 that night. I was going to have to close with</p>

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<p>1 him. I didn't want to close with him. So I</p> <p>2 left at like 8:30-something.</p> <p>3 Q. Was Jordan still there when you left?</p> <p>4 A. Yes.</p> <p>5 Q. Did you say anything to her about</p> <p>6 leaving for the night?</p> <p>7 A. I told her that I was going to stay as</p> <p>8 long as I could, but I didn't -- I was like,</p> <p>9 It's no way I'm closing with him.</p> <p>10 Q. Did you clock out before you left?</p> <p>11 A. Yes. I think I did. Yes, I did</p> <p>12 because -- I'm a hundred percent sure I clocked</p> <p>13 out.</p> <p>14 Q. And did you say anything to Eric</p> <p>15 before you left?</p> <p>16 A. I told -- I asked him, I was like,</p> <p>17 Could I take a break?</p> <p>18 Q. And what did he say?</p> <p>19 A. He say, Yeah, sure. Go ahead.</p> <p>20 Q. And what did you do when you took a</p> <p>21 break?</p> <p>22 A. I went -- I called my husband to come</p> <p>23 get me. And when I got home, I called -- I told</p> <p>24 my husband what happened, and I called the</p> <p>25 police.</p>	<p>1 different. She been married her whole life.</p> <p>2 And oh, yeah, he also asked me, Why</p> <p>3 you got to check up on your husband at night?</p> <p>4 He was like, You always got to call and check up</p> <p>5 on your husband. That night he said that to me.</p> <p>6 Q. Okay. And would you call your husband</p> <p>7 while you were on the clock?</p> <p>8 A. Yes. He would -- he would -- he</p> <p>9 didn't care. He told me, I don't care about you</p> <p>10 -- you know, you can make phone calls, because</p> <p>11 everybody else had their phone out. Just</p> <p>12 because they do it, I'm not going to come in and</p> <p>13 do what they do. So I asked for permission:</p> <p>14 May I use my phone?</p> <p>15 Q. Okay. Okay. And so he said, Why do</p> <p>16 you have to call your husband to check in?</p> <p>17 A. Why you always got to call and check</p> <p>18 in with your husband?</p> <p>19 Q. And you said that someone -- was Craig</p> <p>20 a customer?</p> <p>21 A. No.</p> <p>22 Q. Who was he?</p> <p>23 A. He would come up there to -- he came</p> <p>24 up there to Sonic to -- his name is Craig</p> <p>25 Gardner. He would come up there to, I guess,</p>
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<p>1 Q. And what did you tell your husband?</p> <p>2 A. That I leaned over to pull the garbage</p> <p>3 bag out the trash can and he came behind me and</p> <p>4 he humped me.</p> <p>5 Q. And what did your husband say?</p> <p>6 A. He was more -- he was -- he was</p> <p>7 shocked. He said that every time I drop you</p> <p>8 off, he always watching. He's always looking.</p> <p>9 Q. Could you repeat that?</p> <p>10 A. Every time I drop you off and come --</p> <p>11 every time I drop you off and come pick you up,</p> <p>12 he's looking. If he's there, he was always</p> <p>13 looking.</p> <p>14 Q. Looking at the car?</p> <p>15 A. He was just -- I don't know what he</p> <p>16 meant. He just said he was always looking.</p> <p>17 Oh, I forgot. Eric also said to a guy</p> <p>18 named Craig -- because people off the street</p> <p>19 would come into Sonic and, like, they'll fix</p> <p>20 them something to eat or something. But Craig</p> <p>21 never fixed him something to eat. They will fix</p> <p>22 Craig food for him.</p> <p>23 And Craig -- he told Craig, She been</p> <p>24 married 20 years. And Craig say, That's a good</p> <p>25 thing, Baby. Don't let nobody tell you</p>	<p>1 visit or something. They'll fix him sandwiches</p> <p>2 and stuff.</p> <p>3 Like, people would come there and fix</p> <p>4 them something to eat at Sonic that didn't even</p> <p>5 work there.</p> <p>6 Q. So did -- did Craig -- was he related</p> <p>7 to Alesha?</p> <p>8 A. That I don't know.</p> <p>9 Q. And would he pay for the food? Was he</p> <p>10 a customer?</p> <p>11 A. No.</p> <p>12 Q. Would he -- would he go in the kitchen</p> <p>13 and make his own food?</p> <p>14 A. No. He never made his own food.</p> <p>15 Like, they would fix him something to eat.</p> <p>16 Q. Okay.</p> <p>17 A. That night no one fixed him anything.</p> <p>18 Like, he didn't get nothing to eat. But he was</p> <p>19 just talking, came up there talking that night.</p> <p>20 But usually, like, when Tay there, Tay fix him</p> <p>21 something to eat.</p> <p>22 Q. Okay. And when did you call the</p> <p>23 police?</p> <p>24 A. Right after I got home. I told my</p> <p>25 husband about it, and I was like -- I started</p>

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<p>1 crying. And I -- I grabbed the phone. And I</p> <p>2 was like, I hate Jordan -- you know, she's still</p> <p>3 up there with him because I got two girls at</p> <p>4 home, and I did not want to leave her up there.</p> <p>5 But I had to because I wanted to get her some</p> <p>6 help. I wanted -- so she wouldn't be up there</p> <p>7 -- even though she was going to get off at 9:00,</p> <p>8 it would have stopped it, you know.</p> <p>9 Q. Ms. Haughton, would you like to take a</p> <p>10 couple of minutes?</p> <p>11 A. I'm okay. I'm getting sleepy. I just</p> <p>12 want to get it over with. I'm fine.</p> <p>13 THE WITNESS: Thank you.</p> <p>14 BY MS. TAYLOR:</p> <p>15 Q. Ms. Haughton, have you ever seen him</p> <p>16 do that to Jordan?</p> <p>17 A. I never saw him do that.</p> <p>18 Q. Had you ever seen him do that to</p> <p>19 anyone else?</p> <p>20 A. No, ma'am.</p> <p>21 Q. Had you ever seen him pass behind</p> <p>22 employees or scoot by employees back in the</p> <p>23 kitchen while --</p> <p>24 A. Yeah, because --</p> <p>25 Q. -- people were working?</p>	<p>1 A. No, I didn't.</p> <p>2 Q. And who was the female? You said you</p> <p>3 spoke with Chaz Thomas and a female?</p> <p>4 A. I don't know her name.</p> <p>5 Q. And did you know Chaz Thomas before</p> <p>6 you called the police?</p> <p>7 A. No. It just I seen his name on the</p> <p>8 report. That's how I learned his name.</p> <p>9 Q. Okay. Okay. And what did you tell</p> <p>10 Chaz?</p> <p>11 A. I told Chaz and the police lady what</p> <p>12 happened, by him humping me.</p> <p>13 Q. And you did that at the police</p> <p>14 department? You went to the police department</p> <p>15 to do that.</p> <p>16 A. I called -- I called them out, and</p> <p>17 then they asked me did I want to press charges</p> <p>18 tonight. And I said, Yes, ma'am and yes, sir.</p> <p>19 So they was like, Okay.</p> <p>20 So me and my husband left, and I went</p> <p>21 to the police station. And the time I walked</p> <p>22 through the door, she said, You the one called?</p> <p>23 I said, I figure -- she said -- I said, Yes.</p> <p>24 And she was like, I figure what job you was</p> <p>25 talking about when you called, because I still</p>
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<p>1 A. Where we cook the meat, that part is</p> <p>2 crowded. I could have understood if he had've</p> <p>3 bumped into me or something at that part. But</p> <p>4 where we were, it was enough space for him to go</p> <p>5 around, and that was not an accident. I could</p> <p>6 feel it and tell.</p> <p>7 Q. Who did you speak to at the police</p> <p>8 department?</p> <p>9 A. I called the police department, and</p> <p>10 they came out. And it was a guy, Chaz Thomas,</p> <p>11 and some female. And they asked me did I want</p> <p>12 to press charges tonight. And I said, Yes,</p> <p>13 ma'am, and yes, sir. And so I went to the</p> <p>14 police station.</p> <p>15 When I walked through the door, this</p> <p>16 lady said, I figured, when you called, what job</p> <p>17 you was talking about. I had my uniform on.</p> <p>18 Her name is -- she was the dispatch. Her name</p> <p>19 is Sierra.</p> <p>20 Q. And what did she tell you?</p> <p>21 A. She said, I figured -- when you</p> <p>22 called, I figured what job you was talking</p> <p>23 about.</p> <p>24 Q. And did you ask her what she meant by</p> <p>25 that?</p>	<p>1 had my uniform on.</p> <p>2 MS. TAYLOR: Go ahead and mark this as</p> <p>3 the next exhibit number.</p> <p>4</p> <p>5 - - - - -</p> <p>6 (Exhibit Number 11 marked.)</p> <p>7 BY MS. TAYLOR:</p> <p>8 Q. And, Ms. Haughton, is that your</p> <p>9 signature on the bottom of that document?</p> <p>10 A. Yes, it is.</p> <p>11 Q. Okay. And is that your handwriting on</p> <p>12 the document?</p> <p>13 A. Yes, it is.</p> <p>14 Q. Okay. And so what you reported to the</p> <p>15 police was that the garbage bag fell over inside</p> <p>16 the garbage?</p> <p>17 A. The garbage bag fell down inside the</p> <p>18 garbage.</p> <p>19 Q. And that that you bent over to pull</p> <p>20 the bag up, and Eric came behind me and humped</p> <p>21 me, and then he said, Excuse me.</p> <p>22 A. Yes.</p> <p>23 Q. Okay.</p> <p>24 A. Yes. But he had a big smile on his</p> <p>25 face.</p>

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<p>1 Q. But you didn't include that in your</p> <p>2 statement to the police? Was that correct?</p> <p>3 A. That he had a big smile on his face?</p> <p>4 No, I didn't write that he had a big smile on</p> <p>5 his face. I was just trying to -- I didn't say</p> <p>6 he had a big smile on his face, but he did. I</p> <p>7 was just trying to get to the main point.</p> <p>8 Q. And you said that your co-worker</p> <p>9 Jordan was looking and that she said that she</p> <p>10 had seen what he did?</p> <p>11 A. Yes. She said that she saw what he</p> <p>12 did.</p> <p>13 Q. And she said that she didn't want to</p> <p>14 be left alone --</p> <p>15 A. Correct.</p> <p>16 Q. -- with him and that he had done that</p> <p>17 to her before?</p> <p>18 A. Correct.</p> <p>19 Q. And that she gave you her Facebook</p> <p>20 name?</p> <p>21 A. Yes.</p> <p>22 Q. And that's the information that you</p> <p>23 included in your statement to the police; isn't</p> <p>24 that right?</p> <p>25 A. Correct. She told me that her</p>	<p>1 with Mr. Ellis?</p> <p>2 A. They said that they would.</p> <p>3 Q. Okay. Did they tell you when they</p> <p>4 were going to do that?</p> <p>5 A. No.</p> <p>6 Q. After you got back home that night,</p> <p>7 what was the next thing that happened?</p> <p>8 A. Alesha called me, and she asked me why</p> <p>9 did I tell on him. She said the police came and</p> <p>10 arrested him. And I told -- she -- I said that</p> <p>11 -- I told her what he did. And I told her, I</p> <p>12 even have a witness.</p> <p>13 I never told her the name of my</p> <p>14 witness. She was like, Who is it? Who is your</p> <p>15 witness? I knew eventually she would probably</p> <p>16 figure it out because me -- we was the ones in</p> <p>17 the kitchen. But I didn't tell her.</p> <p>18 So she was like, He been here</p> <p>19 such-and-such amount of years. It -- I think</p> <p>20 she -- if I'm not mistaken, it was either seven</p> <p>21 or nine years she said. He been here that many</p> <p>22 years and you come and you told on him. You had</p> <p>23 him arrested.</p> <p>24 I'm going to call the camera man. The</p> <p>25 camera man -- I called the camera man. That's</p>
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<p>1 Facebook name wasn't Jordan and that it was</p> <p>2 J Marie. She wrote it on paper. That's how I</p> <p>3 was able to....</p> <p>4 Q. Okay. And you did not include in your</p> <p>5 statement that he had touched your hand before;</p> <p>6 isn't that right?</p> <p>7 A. No, I didn't. I was just trying to --</p> <p>8 that night I was just trying to get to -- I was</p> <p>9 in shock still. You know, my mind was -- I</p> <p>10 don't know.</p> <p>11 Q. And after you -- and you did this at</p> <p>12 the police department; is that correct?</p> <p>13 A. Yes, ma'am.</p> <p>14 Q. And after you made the complaint, what</p> <p>15 was the next thing you did?</p> <p>16 A. I went home.</p> <p>17 Q. And what time was it when you went</p> <p>18 home?</p> <p>19 A. I'm not really sure what time it was</p> <p>20 when I got home.</p> <p>21 Q. And did you know what the police were</p> <p>22 going to do with your complaint?</p> <p>23 A. No.</p> <p>24 Q. Did they tell you what they planned to</p> <p>25 do or that they planned to go to Sonic or speak</p>	<p>1 what she said. I called the camera man. He's</p> <p>2 on his way. And I said, That's good. You could</p> <p>3 look at the camera, you'll see I'm telling the</p> <p>4 truth that he did that.</p> <p>5 And she was all, Yeah, he on his way.</p> <p>6 I'm going to see. Why you stay -- when he did</p> <p>7 that, why you stay long as you did?</p> <p>8 And I was like, Because I didn't want</p> <p>9 -- the other person, I didn't want to leave them</p> <p>10 by theirselves with him.</p> <p>11 And so she was like, Well, the camera</p> <p>12 man on his way. And she was like, I don't</p> <p>13 believe he did that.</p> <p>14 And I said, Ma'am, I said, God don't</p> <p>15 like ugly. I wouldn't try to blemish somebody,</p> <p>16 you know, just make something like that up.</p> <p>17 And she was like, God don't like</p> <p>18 pretty either. And I asked her what she meant</p> <p>19 by that. She said, That's something I always</p> <p>20 say. But like I said, the camera man on his</p> <p>21 way.</p> <p>22 She hung on me.</p> <p>23 Q. What did she say? God don't like</p> <p>24 what?</p> <p>25 A. Pretty either.</p>

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1 Q. Okay. Did she say anything else?	1 was the next thing that you did?
2 A. No.	2 A. After she said that, after her
3 Q. Did you say anything?	3 response, I called corporate because I knew she
4 A. No, ma'am. I just told her what	4 was -- she was mad, so I....
5 happened, you know. She asked what happened,	5 Q. And when did you call corporate?
6 and I told her what happened. And she was like,	6 A. I googled their number, and I called
7 I don't believe he did that.	7 them that same night, I think.
8 Q. Did she tell you that she was going to	8 Q. You called them the evening of the
9 conduct an investigation and speak with	9 22nd?
10 witnesses?	10 A. That -- the night after she called me,
11 A. No, ma'am. She was mad.	11 I end up calling corporate.
12 Q. What was the next thing that you did?	12 Q. So you called corporate the night
13 A. My husband listened to the call, and	13 that --
14 he was like, What in the world? You know, What	14 A. Yes.
15 kind of stuff is that, you know?	15 Q. -- the incident happened?
16 Q. How long did the call last?	16 A. After her reaction, and I seen she
17 A. I wrote it down. I wrote it down in	17 wasn't -- well, she had already told me. But I,
18 my journal. I can't remember off the top	18 you know, still explained to her, you know, what
19 because I didn't -- but I wrote it down, you	19 he did and tried to tell her I wouldn't do
20 know, how long the call --	20 nobody like that, you know. But she was mad.
21 Q. Do you keep a journal?	21 She said I shouldn't have told on him. So
22 A. I was keeping a journal, but I stopped	22 that's why I called corporate.
23 writing because -- I kept a journal -- I started	23 Q. Okay. And were you able to reach
24 writing after that happened. I started writing	24 anybody?
25 after that happened. And I thought it'll make	25 A. I called the wrong corporate. I
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1 me feel better, but it actually made me feel	1 called some -- somebody in Ohio or something.
2 worse, so I just stopped writing. I stopped --	2 That's the corporate I called. But then I later
3 like, in middle -- the middle of January, I just	3 found out -- the one in Columbus. I was
4 stopped writing. It was like I kept reliving	4 googling till I found the one in -- but I think
5 it.	5 that one I called -- it might have been the next
6 Q. Why would you think that it would make	6 day or -- I'm not sure, but it wasn't long
7 you feel better?	7 after.
8 A. Just -- just getting it off my chest	8 Q. And who did you speak with at
9 instead of holding it in and just writing it	9 corporate?
10 out. You know, me being a writer, I thought it	10 A. Anita Howard.
11 would make me feel better, but it -- it didn't.	11 Q. And what did you tell her?
12 Q. And have you produced a copy of your	12 A. I told her what happened. And she
13 journal in this litigation?	13 said -- she said, Let me ask you something. And
14 A. I did.	14 I said, Yes, ma'am. And she said, Have you ever
15 Q. And did you write in the journal every	15 smelled alcohol on Alesha's breath? And I said,
16 day, or did you go back and write it based on	16 Yes, ma'am. I said, I smelled it on Eric
17 your recollection?	17 breath. But I'm going to be honest. It don't
18 A. No. I wrote -- like, say, sometimes I	18 be -- Eric don't be as loud as Alesha. I only
19 will write, like, that night; after the day,	19 smell it on -- you know, I smell it on Alesha's
20 that night. Sometimes I will write right then.	20 breath all the time.
21 Most of the time I would write -- sometime I	21 You know, I just told her.
22 will wake up and be like, I feel better, you	22 Q. So you're saying when you spoke with
23 know. I was -- a lot of -- some of it was about	23 Ms. Howard --
24 my feelings, how I felt, you know.	24 A. Anita.
25 Q. Now, after speaking with Alesha, what	25 Q. -- she asked you if you smelled

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1 alcohol on Alesha's breath?	1 that.
2 A. Yes, ma'am. She asked me have I ever	2 Q. And did you get her last name?
3 smelled alcohol on Alesha, because I was telling	3 A. No, ma'am.
4 her about Eric, and she asked me about Alesha.	4 Q. And she was in Columbus?
5 Q. What did you tell her about Eric?	5 A. Yes, ma'am.
6 A. That I smelled a little alcohol on him	6 Q. And what did you tell her?
7 that night. It wasn't loud, but I smelled a	7 A. What did I tell her? I told her -- I
8 little alcohol that night.	8 can't remember.
9 Q. What else did you tell her?	9 Q. Why did you call back a second time?
10 A. I told her what happened, and I -- I	10 A. I think I called after they -- after
11 told her what happened, and she told me years	11 Tay and Alexius Ellis tried to fight me, I
12 ago that wasn't even considered sexual	12 called. I think I called -- if I'm not
13 harassment.	13 mistaken, I think I called then because I --
14 Q. Now, did she tell you that --	14 yes, I did, because I went to the police station
15 A. She said she going to focus on Eric.	15 to press charges on them, and the -- I didn't
16 She wasn't going to focus on Alesha. Her focus	16 know their address or none of that. So the
17 was on Eric. And I was thinking, What's the	17 police said it probably will be best if you go
18 point of even asking me about -- I didn't tell	18 through corporate.
19 her, but I was like, Why she even ask about the	19 Q. And that would have been -- would that
20 alcohol on her breath?	20 have been on the 30th or 31st of January -- I
21 Q. So when she told you that years ago	21 mean of December?
22 that that wouldn't be considered sexual	22 A. Yes. December, yes, ma'am.
23 harassment, did she tell you that there weren't	23 Q. Okay. And the second time you called
24 laws that would protect women against sexual	24 you spoke with Cynthia?
25 harassment in the workplace years ago?	25 A. The second time I called -- I don't
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1 A. I didn't even know that it wasn't	1 know who I spoke to the second time. I really
2 considered sexual -- I didn't know anything	2 can't remember -- I don't -- I think it was
3 about it till she told me.	3 Cindy, Cynthia, or something, but I only spoke
4 Q. Okay. And did she tell you that they	4 with Anita once. Cindy or Cynthia or something
5 were going to investigate and look into it?	5 like that, her name.
6 A. She did say that. She did.	6 Q. Okay. And what did you tell Cynthia?
7 Q. And did she tell you that that would	7 You said you don't remember?
8 be inappropriate and that it would be against	8 A. I told -- then, well, about them
9 the policy of the company?	9 trying to jump on me.
10 A. That's what she said.	10 Q. And what did Cynthia say?
11 Q. And did she also tell you that the --	11 A. I think that's when she told me that
12 -- the owner of the company or the president of	12 the guy was out of town or something and he
13 the company was out of town and wouldn't be back	13 would call when -- but he ended up calling,
14 until after the holidays?	14 though, and he said that he would get back in
15 A. That was the second time I called.	15 touch with me after the holidays. But he
16 Q. And she did tell you that?	16 didn't. And I was calling, but they never
17 A. Yes. And he end up calling. He did	17 called me. And when I called I couldn't get in
18 end up calling. My husband had the phone. He	18 touch with anyone anymore.
19 the one that said that he would call back, but	19 Q. And did he try to call you before or
20 he never called back.	20 after the altercation at Sonic?
21 Q. How many times did you speak with	21 A. It was after the altercation. He said
22 Nita, or Ms. Howard?	22 he was -- he left a message with my husband that
23 A. I spoke to her only once. The other	23 he was just calling to let me know that he was
24 one was named Cynthia that I was speaking to.	24 going out of town and that he would contact me
25 Cindy. It was Cindy or Cynthia, something like	25 after the holidays. He was just letting me know

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1 that.	1 tell on him. And when she said it, she was
2 Q. So that would have been after the 30th	2 rolling her eyes at me that night.
3 or 31st of December?	3 I didn't care about none of that. I
4 A. I want to say it was -- it had -- it	4 didn't care. I just did -- I was there to work.
5 wasn't the 1st of January, I know. So it had to	5 I -- that didn't bother me at all.
6 be the 30th or 31st after the -- after the	6 Q. Okay. And you said that that was the
7 incident -- I'm not really sure, but I know it	7 23rd of December?
8 was not in -- January hadn't came yet. Hold on.	8 A. Yes, ma'am.
9 Let me make sure.	9 Q. Okay. And did you work any other days
10 I don't remember. All I know, he	10 between the 22nd and the 30th?
11 called. My husband had the phone. And he told	11 A. I worked again, and one night the -- I
12 me the guy said that he would call me back after	12 want to say two more times because one night the
13 he got back in town or something. And I tried	13 lights went off at work, and she sent me home.
14 calling them and I could never get in touch with	14 But, you know, the likes kept going off and on,
15 ^ with "anyone"? 16:14 him anymore.	15 so that was understandable.
16 Q. Okay. Between December 22nd and	16 Q. And -- okay.
17 December -- what was the last -- let me ask you	17 A. That was understandable. I just
18 this: What was the last day that you worked at	18 didn't understand why people that was there
19 Sonic? Was it the 30th of December?	19 after -- like, why I had to leave, you know, and
20 A. I want to say it was the 30th. I	20 didn't nobody else, you know. She just told --
21 think it was the 30th.	21 she told Barbara to tell me to go home.
22 Q. So I guess between December 22nd and	22 Q. Now --
23 December 30th, did you work at all between that	23 A. She never said anything directly to
24 time period?	24 me. Like, she stopped talking to me, like.
25 A. Yes, I did. I worked -- the 23rd I	25 Q. And you worked the 29th; is that
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1 worked with Tay. I mean -- not Tay. I'm sorry.	1 correct?
2 It was Alesha. And she was telling Barbara how	2 A. Correct. And the 20 -- one night we
3 she tossed and turned that night, and she	3 had -- one day we had something at work. Yeah,
4 couldn't sleep because she was so D mad. And	4 it was the 20 -- I think it was the 28th or 29th
5 she said that she waste barbecue sauce all over	5 when those lights went off at work.
6 her. So she was like, Gah, I was just so mad.	6 Q. Now, on the 29th when you worked, you
7 I was just P'd off, she said. She didn't say P,	7 commented in your notes that it was a good
8 but, you know -- yeah.	8 night, that you had a good day.
9 Q. She was telling who that.	9 A. Yes.
10 A. Barbara.	10 Q. And then the 30th when you came in,
11 Q. And did you overhear her say that or	11 you said that you -- that was the day when you
12 did Barbara tell you she said that?	12 got in the altercation with the other employees;
13 A. No, I heard her.	13 isn't that right?
14 Q. And did she tell you why she was mad	14 A. Correct.
15 or tell Barbara why she was mad?	15 Q. Okay. And I guess I'm going to kind
16 A. No. She -- they had already been	16 of take it in a -- a different order, but you --
17 talking. But she came, I guess, so I could	17 I guess at the end of it, you ended up coming
18 hear, you know. But I just ignored her, you	18 into the store and telling the employees that
19 know, and kept working.	19 they didn't know you and didn't know what you
20 Q. So you thought she was talking about	20 would do and threw your purse down; isn't that
21 you?	21 correct?
22 A. I know she was talking about me	22 A. That's not correct.
23 because she said that -- well, she -- her exact	23 Q. You didn't tell them that they didn't
24 words was, She didn't have to tell on him. And	24 know you and --
25 she -- she said I didn't -- she didn't have to	25 A. No.

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1 Q. -- what you would do?	1 so good.
2 A. They was trying to jump on me. I	2 Q. Okay. And then you said earlier that
3 don't know for sure, but I think that Alesha	3 they were saying stuff. Who is "they"?
4 intentionally put me to work for them -- with	4 A. That was Tay and his daughter.
5 them. They was trying to jump on me that night.	5 Q. And what were they saying?
6 His daughter, Alexius Ellis, and Tay was trying	6 A. When I first walked through the
7 to jump on me that night.	7 door -- it didn't bother me -- Tay said, Eric
8 Q. What do you mean by they were trying	8 made this coffee. And she was looking at me. I
9 to jump on you?	9 just went on, washed my hands and --
10 A. They was trying to fight me. His	10 Q. What did she say?
11 daughter had her hands drew back. Tay was	11 A. Eric made this coffee, because usually
12 walking up, you know; and they was cussing at	12 we'll drink coffee at work. And she say, Eric
13 me, calling me all kind of names. That's why I	13 made this coffee. And I just went on to the
14 called the police because I was terrified, you	14 back and didn't say nothing, washed my hands and
15 know. I called the police hoping that it could	15 start working.
16 -- they could deescalate the situation. But	16 And then she was like -- she went
17 they didn't know I called the police. They was	17 outside and talked to Alesha for a minute. And
18 trying to fight me.	18 his daughter came over there and was like, Hey,
19 Q. Okay. So what time did you come to	19 Barbara, how you doing? And she was like, I'm
20 work that day?	20 doing good. I just kept working, kept working.
21 A. I came to work at 5:00.	21 And I was looking there, I noticed there was a
22 Q. At 5:00 o'clock? And when did the	22 whole bunch of dishes in the sink. It wasn't --
23 altercation happen?	23 it never been that many dishes, but I like
24 A. I'm not sure. But ever since I had	24 washing dishes. I didn't mind. So -- because
25 walked through the door, like, they were saying	25 that night it was my night to wash dishes.
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1 stuff; but it didn't bother me, like, I didn't	1 So then when Tay finally did -- after
2 care. You know, I know they was trying to make	2 Tay followed Alesha to her car, they talked for
3 me mad. But, you know, I was there to work. I	3 a minute. And when Tay came back in, she came
4 was there for my children, you know, not for	4 back over there and she was like Hey, Barbara,
5 them. So I just blocked them out.	5 how you doing -- like that right there. She --
6 And after ignoring them for so long,	6 and Barbara was like, I'm doing good.
7 Tay, instead of talking to other people, you	7 She was like, Come here, Barbara. Let
8 know -- well, she would -- she said something	8 me tell you about Bohays [phonetic]. And that's
9 directly to me, you know. And I told her that I	9 my stepdad. Well, my mama used to go with him.
10 had just did five wraps, and it was no way --	10 She got -- my little sister and brother, that's
11 it's no way in that time frame, you, me, nobody,	11 they daddy and she know that me and Tay -- she
12 even -- not even her, could have that ready	12 know that. Me and Tay was -- she know that.
13 within the time frame she wanted.	13 And she was like, He took my phone
14 Q. What was -- you say that Tay was	14 with his old -- she was like, I -- I should have
15 talking to you. She was talking to you about	15 knocked him in the head with his ugly -- you
16 the food preparation?	16 know. And I just ignored her.
17 A. She said -- Tay never yelled at me	17 Q. And who is that?
18 before. And she said, why my chili cheese coney	18 A. My --
19 taking so -- I mean, she was screaming at me,	19 Q. What's his name?
20 like, yelling.	20 A. They call him Bohays.
21 Q. What did she say?	21 Q. Okay.
22 A. Why is my chili cheese coney dog -- my	22 A. But his name is James Eckford.
23 chili cheese coney ain't up here and my fries --	23 Q. And that was who saying that?
24 or either tater tots? And she was screaming,	24 A. Tay.
25 like -- she never did that before. We got along	25 Q. Okay. And she was saying that to

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<p>1 Barbara?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Okay. But you had said that</p> <p>4 they were -- so that's what they were saying,</p> <p>5 the stuff they were saying?</p> <p>6 A. Oh, no. What they were saying to me</p> <p>7 was -- well, they was throwing it towards me:</p> <p>8 You better stop before you get to her -- because</p> <p>9 the girl was yelling "motz," you know, because I</p> <p>10 would have to get the stuff out the freezer.</p> <p>11 And she was screaming at the other girl --</p> <p>12 Haley. That's the other girl I couldn't think</p> <p>13 of her name. Her name is Haley. She was</p> <p>14 screaming loud. And they was laughing because,</p> <p>15 you know, I had to get the stuff. When she was</p> <p>16 screaming, I was getting the stuff.</p> <p>17 Q. What were you -- so she was screaming</p> <p>18 to get something out of the freezer?</p> <p>19 A. Yeah. She would say "motz." And she</p> <p>20 was screaming at the top of her lungs for me --</p> <p>21 Q. She was saying what?</p> <p>22 A. Motz. They say "motz" for mozzarella.</p> <p>23 They say "motz."</p> <p>24 Q. Okay.</p> <p>25 A. Whatever I needed, she was screaming.</p>	<p>1 after the coney incident, they started yelling</p> <p>2 at me and stuff. I don't know exactly what they</p> <p>3 were saying. They were saying a lot. But I</p> <p>4 know I was terrified enough to go and call the</p> <p>5 police.</p> <p>6 I asked her could I take a break. She</p> <p>7 was like, No. I got my purse anyway because I</p> <p>8 was scared. I was afraid. I got my purse. I</p> <p>9 went outside and called the police and asked --</p> <p>10 and I told them I wanted them -- could they</p> <p>11 deescalate the situation.</p> <p>12 Q. So you asked Tay -- you asked Tay if</p> <p>13 you could take a break?</p> <p>14 A. Yes.</p> <p>15 Q. Were there orders pending and food</p> <p>16 that needed to be cooked at that time?</p> <p>17 A. No. Not -- orders was coming but they</p> <p>18 wasn't, like, you know, back to back.</p> <p>19 Q. How many cooks were in the kitchen at</p> <p>20 that time?</p> <p>21 A. It was me and Barbara in the kitchen.</p> <p>22 Q. And what time of the day was this?</p> <p>23 A. I got there at 5:00 o'clock. And I</p> <p>24 know when I went to the clock to clock out, it</p> <p>25 was 5:55.</p>
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<p>1 I was -- I just kept working, kept working. And</p> <p>2 then Alexis Ellis said you better stop before</p> <p>3 you get charges pressed on you and reported on.</p> <p>4 And Tay bust out laughing, and she -- she was</p> <p>5 screaming laughing, like.</p> <p>6 Q. Where were you and where were they at</p> <p>7 this point?</p> <p>8 A. They was at the front and I was at the</p> <p>9 back fixing the food. But I just kept working,</p> <p>10 you know.</p> <p>11 Q. And you could hear them at the front?</p> <p>12 Were they in the building or out --</p> <p>13 A. It's small.</p> <p>14 Q. -- out of the --</p> <p>15 A. No.</p> <p>16 Q. -- outside?</p> <p>17 A. In the front -- the front is like,</p> <p>18 okay, the end of this table to maybe where we</p> <p>19 are now.</p> <p>20 Q. Okay. Any other comments?</p> <p>21 A. When things got heated, I asked her</p> <p>22 could I take a break.</p> <p>23 Q. And who did you ask if you could take</p> <p>24 a break?</p> <p>25 A. Tay, because they started -- when --</p>	<p>1 Q. So --</p> <p>2 A. I went -- I didn't clock out because</p> <p>3 they kept walking up on me -- but I'll get to</p> <p>4 that point. After I called the police, I came</p> <p>5 back in and --</p> <p>6 Q. So hold on. Let me back up just for a</p> <p>7 minute. So you asked Tay if you could take a</p> <p>8 break and she told you no.</p> <p>9 A. Yes, she did.</p> <p>10 Q. But then you took a break anyway.</p> <p>11 A. I did.</p> <p>12 Q. Okay. And you did not clock out?</p> <p>13 A. No. I didn't take a break. I just</p> <p>14 walked outside and made a call. I didn't take a</p> <p>15 break. I walked outside and made a call.</p> <p>16 Q. Okay.</p> <p>17 A. And I was telling the police what</p> <p>18 happened.</p> <p>19 Q. And was there any other comments or</p> <p>20 anything said before that you haven't told me</p> <p>21 about before you took a break?</p> <p>22 A. No. Tay -- when I asked her could I</p> <p>23 take a break, I went outside, called the police.</p> <p>24 When I came back inside, Alexis Ellis</p> <p>25 say, Why you call me a B? And I said, I didn't</p>

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<p>1 call you no B. And I said -- that's when I said</p> <p>2 something. I said, Y'all been picking at me all</p> <p>3 night -- because they was talking at me -- when</p> <p>4 I asked to take a break, she was like, No, you</p> <p>5 can't take no -- and she was cussing and, you</p> <p>6 know, they -- they was. They was coming -- I</p> <p>7 was scared. I was.</p> <p>8 So instead of them jumping on me, I</p> <p>9 called the police. And I knew I called the</p> <p>10 police; they didn't know. So I tried to record</p> <p>11 them to have proof to show the police. And when</p> <p>12 Tay seen that I was trying to record them, she</p> <p>13 was like, Oh, no -- because his daughter say,</p> <p>14 You could record later. And Tay say, Oh, no,</p> <p>15 not on my mother -- you know. You're going to</p> <p>16 have to get your -- on with this -- you know,</p> <p>17 get out of my clock -- clock out. That's what</p> <p>18 she told me, to clock out. She said that I</p> <p>19 couldn't record her but I didn't know that the</p> <p>20 phone wasn't recording.</p> <p>21 Q. So when Alexius said -- asked you if</p> <p>22 you called her a bitch, why did she ask you</p> <p>23 that? Had you talked to her and made comments</p> <p>24 about her?</p> <p>25 A. No, ma'am. I walked in -- after I got</p>	<p>1 to jump on you?</p> <p>2 A. They was walking towards me and</p> <p>3 calling me names and stuff, talking about</p> <p>4 they'll -- I'll die -- got -- she got to write</p> <p>5 -- I'll F her up, and this and that. When I</p> <p>6 came back in, his daughter drew back, fixing to</p> <p>7 hit me, Tay walking up on me and stuff.</p> <p>8 Q. So let me -- I just want to make sure</p> <p>9 I understand the timeline. So before you went</p> <p>10 and called the police there -- Tay yelled at you</p> <p>11 about --</p> <p>12 A. She called me a B.</p> <p>13 Q. -- getting the cheese coney, where's</p> <p>14 my chili --</p> <p>15 A. Yeah, she --</p> <p>16 Q. -- cheese coney.</p> <p>17 A. Yes.</p> <p>18 Q. And then came in and said something to</p> <p>19 Barbara along the lines of, how are you doing?</p> <p>20 A. No. She said something how you doing</p> <p>21 first to Barbara. How you doing, to Barbara</p> <p>22 and --</p> <p>23 Q. And did you --</p> <p>24 A. And she was like, Girl, let me tell</p> <p>25 you about Bo -- that's when she said that about</p>
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<p>1 off the phone with the police, by the time I</p> <p>2 walked in, she said, My question for you is why</p> <p>3 you call me a bitch? And I was like, I didn't</p> <p>4 call a -- what are you talking about?</p> <p>5 And I said, Y'all been -- all night</p> <p>6 y'all been trying to get to me. Like, I didn't</p> <p>7 tell a story on Eric. He really did that. I</p> <p>8 was trying to tell them that I wasn't lying on</p> <p>9 him. But they kept on trying to jump on me.</p> <p>10 And I was there for my kids. I wasn't there to</p> <p>11 fight. I wasn't trying to fight.</p> <p>12 Q. Now, when you went outside, I guess</p> <p>13 the first time, were you yelling on your phone</p> <p>14 and yelling profanity?</p> <p>15 A. No. No. I didn't, no. I called the</p> <p>16 police. I told -- I was on the phone with the</p> <p>17 police. They could verify that I was not</p> <p>18 cursing. Just go back and listen to the call.</p> <p>19 After I called the police, I called my husband.</p> <p>20 My son answered and said he was going to wake</p> <p>21 him up, you know. So my son -- I said, Tell him</p> <p>22 that the police is on they -- fixing to come up</p> <p>23 here, you know, because they're trying to jump</p> <p>24 on me.</p> <p>25 Q. And why did you think they were trying</p>	<p>1 let me tell you about Bohays. The coney part</p> <p>2 got after she got to talking, and she -- I guess</p> <p>3 -- it's like I wasn't -- you know, I kept</p> <p>4 working. I wasn't saying nothing. Everything</p> <p>5 they said, calling me Bs, all that, I kept</p> <p>6 working through it.</p> <p>7 Q. When did they call you -- you said</p> <p>8 that they called you a bitch?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. Who called you a bitch?</p> <p>11 A. Tay and Alexius Ellis both was calling</p> <p>12 me that.</p> <p>13 Q. So when did they call you a bitch?</p> <p>14 Was it before you called --</p> <p>15 A. Alexius --</p> <p>16 Q. -- the police or after you called the</p> <p>17 police?</p> <p>18 A. Oh, before I called the police, it was</p> <p>19 Alexius Ellis. Tay was sitting up there. She</p> <p>20 was watching, you know -- no, you can't take no</p> <p>21 movie. She was cursing and stuff. So --</p> <p>22 Q. Okay. Stop just for a moment --</p> <p>23 A. Okay.</p> <p>24 Q. -- because I just want to make sure I</p> <p>25 understand the timeline.</p>

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<p>1 A. Okay.</p> <p>2 Q. You said before you called the police</p> <p>3 Alexius called you a bitch?</p> <p>4 A. She was -- they -- she was calling --</p> <p>5 she was like, That -- it'll be one less cook if</p> <p>6 I can help it. That B will be gone.</p> <p>7 Q. And when did she say that?</p> <p>8 A. She said that before I went outside</p> <p>9 and called the police.</p> <p>10 Q. And what was she -- what was she</p> <p>11 referring to or talking about?</p> <p>12 A. Because they asked, How many cooks in</p> <p>13 the kitchen. Tay said -- say, How many cooks in</p> <p>14 the kitchen? And she said, It going to be one</p> <p>15 less cook if I can help it. And Tay busted out</p> <p>16 laughing. It's like it was planned or</p> <p>17 something, to me.</p> <p>18 Q. Did anyone else say anything directly</p> <p>19 about you or that you thought was directly about</p> <p>20 you --</p> <p>21 A. When I --</p> <p>22 Q. -- before you called the police?</p> <p>23 A. Before I called the police? Tay had</p> <p>24 -- I don't remember -- I really don't remember</p> <p>25 exactly, but I know it was badder than how I'm</p>	<p>1 while my back was turned.</p> <p>2 Q. So your back was turned, and you say</p> <p>3 that someone drew a hand to fight you?</p> <p>4 A. Yes. Alexius Ellis drew back. She</p> <p>5 was fixing to hit me.</p> <p>6 Q. How did -- if your back was turned,</p> <p>7 how did you know she was fixing to hit you?</p> <p>8 A. No, I was turned to the clock to --</p> <p>9 fixing to clock out, and I was -- I was telling</p> <p>10 them, I was like, I didn't -- because I didn't</p> <p>11 want to -- I just came -- I was like, I didn't</p> <p>12 lie on him. He really did do that. And so</p> <p>13 that's when she drew her fist up, fixing to hit</p> <p>14 me.</p> <p>15 Q. Did she come into contact with you?</p> <p>16 A. She didn't hit me, no.</p> <p>17 Q. Now, did you leave the building at</p> <p>18 that point?</p> <p>19 A. When she told -- when they told me to</p> <p>20 leave, I went and sat in my husband -- well, I</p> <p>21 was headed to the car. Tay followed me outside</p> <p>22 and called me a dysfunctional B. And I told</p> <p>23 her, It takes a dysfunctional B to know a</p> <p>24 dysfunctional B. And I -- I was in my husband's</p> <p>25 car then.</p>
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<p>1 saying it. It was -- I was terrified enough to</p> <p>2 call the police to try to deescalate the</p> <p>3 situation. That's all I know.</p> <p>4 Q. Now, when you stepped outside you</p> <p>5 called your husband as well?</p> <p>6 A. Yes.</p> <p>7 Q. And your husband came up to the Sonic?</p> <p>8 A. He got there before the police got</p> <p>9 there. He -- when she drew back to hit me, he</p> <p>10 jumped in the middle and, you know, he did like</p> <p>11 this (indicating), you know. Tried to block her</p> <p>12 lick, like. He was facing me, but he just put</p> <p>13 his arms up so she wouldn't hit me because Tay</p> <p>14 was coming on this side and Alexius drew back</p> <p>15 fixing to hit me.</p> <p>16 Q. And where were you when Alexius drew</p> <p>17 back? Were you inside the restaurant or outside</p> <p>18 the restaurant?</p> <p>19 A. All this happened in the inside. I</p> <p>20 was going to the clock because Tay told me to</p> <p>21 clock out because I was trying to record. She</p> <p>22 told me not on her watch or whatever, to clock</p> <p>23 the F out or whatever. And so I was headed</p> <p>24 toward the clock to clock out, but they kept</p> <p>25 walking on me like they was trying to fight me</p>	<p>1 Q. When did the police come on the scene?</p> <p>2 A. Like, a few minutes after that. I sat</p> <p>3 in the car -- I'd say about two minutes after</p> <p>4 that the police pulled up, and they told me that</p> <p>5 -- I was sitting in the car; and when I seen</p> <p>6 them pull up, I got out the car and went and</p> <p>7 told them, I was the one that called y'all. And</p> <p>8 Chaz was the one that came. He already knew.</p> <p>9 And he was like even though that happened, by</p> <p>10 you were on their property and they say leave,</p> <p>11 you've got to leave. And I was like, I was just</p> <p>12 waiting for y'all to come. That's all. I was</p> <p>13 in the car just waiting on y'all to come.</p> <p>14 Q. And so he told you that you needed to</p> <p>15 leave at that point?</p> <p>16 A. He told me by they told me to leave</p> <p>17 the premises, by Tay and them told me -- by Tay</p> <p>18 told me to leave the premises, I had to leave.</p> <p>19 And I told him, No problem. I was going to -- I</p> <p>20 was waiting on you-all to come.</p> <p>21 I was sitting in my husband's car</p> <p>22 waiting on them to arrive.</p> <p>23 Q. And so when your husband came on the</p> <p>24 scene, did your husband have to restrain you</p> <p>25 from physically attacking the other employees?</p>

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<p>1 A. No, ma'am.</p> <p>2 Q. So he didn't have to hold you back?</p> <p>3 A. No, ma'am. I wasn't -- I do remember</p> <p>4 that -- I was terrified, but I was not going to</p> <p>5 let them just jump on me. I would defend my --</p> <p>6 I was going to defend myself, but I wasn't</p> <p>7 trying to fight at the same time. I knew the</p> <p>8 police was coming. They didn't. I wasn't -- I</p> <p>9 wasn't trying to fight. I...</p> <p>10 Q. And did you -- did you tell them that</p> <p>11 they did not know you, that they didn't know</p> <p>12 what you could do?</p> <p>13 A. No. Huh-uh. I don't recall that.</p> <p>14 I'm sure I would remember that. I don't</p> <p>15 remember that.</p> <p>16 Q. Do you remember at any point throwing</p> <p>17 your purse down?</p> <p>18 A. I dropped my purse when she drew back</p> <p>19 fixing to hit me because I had my purse in my</p> <p>20 hand. So yeah, I did drop my purse when she</p> <p>21 drew back fixing to hit me.</p> <p>22 Q. And did you -- did you lunge towards</p> <p>23 them like you were going to hit them?</p> <p>24 A. No. When she drew back at me, my</p> <p>25 husband, we don't stay that far from there, just</p>	<p>1 outside the store within the customers' hearing,</p> <p>2 would you dispute that?</p> <p>3 A. I would dispute that because I was on</p> <p>4 the phone with the police. Why would I -- you</p> <p>5 know, I was on the phone with the police. And</p> <p>6 when I called my son I don't talk -- my husband</p> <p>7 didn't answer. I talked to my son. I don't</p> <p>8 talk around my son like -- no.</p> <p>9 After I got off the phone I went back</p> <p>10 inside. I don't -- I -- I don't even remember</p> <p>11 -- I remember saying how they -- how they act</p> <p>12 toward me, like, talking to the police, but no.</p> <p>13 Q. If people reported that you were</p> <p>14 pacing back and forth and yelling profanity,</p> <p>15 according to you, you did not do that.</p> <p>16 A. I'm sure I would -- I do not remember</p> <p>17 doing that. I'm sure I would remember doing</p> <p>18 that. I don't remember doing that.</p> <p>19 Q. And did you press charges against</p> <p>20 anyone that night?</p> <p>21 A. I went to press charges on them, but</p> <p>22 the dispatch told me by I didn't know their</p> <p>23 address, that it was best that I go through</p> <p>24 corporate.</p> <p>25 Q. And you said that you called</p>
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<p>1 a few minutes. So my husband came when she drew</p> <p>2 back fixing to hit me.</p> <p>3 Q. And did you -- did you try to fight</p> <p>4 them?</p> <p>5 A. I -- I would not try to -- no, ma'am.</p> <p>6 I wasn't trying to fight them. But I wasn't</p> <p>7 going to just let them jump on me either. I was</p> <p>8 going to defend myself, but I didn't start</p> <p>9 nothing. And I wasn't trying to fight, you know</p> <p>10 -- I was trying to avoid all that.</p> <p>11 Q. Now, after -- after Tay asked you to</p> <p>12 leave and go home, did you leave the store?</p> <p>13 A. I left the store. I went to the car,</p> <p>14 my husband's car. She followed me outside,</p> <p>15 called me a dysfunctional bitch, and --</p> <p>16 Q. And so did you leave the store and</p> <p>17 then come back in?</p> <p>18 A. No, I didn't go back in at all. I sat</p> <p>19 in my husband's car. And when the police</p> <p>20 arrived, I got out the car and went and talked</p> <p>21 to the police. One went inside and one talked</p> <p>22 to me outside.</p> <p>23 Q. If customers said that you were</p> <p>24 yelling and ranting and raving and using</p> <p>25 profanity, like, the F word and the B word and</p>	<p>1 corporate?</p> <p>2 A. Yes.</p> <p>3 Q. And what did you -- that was Cynthia</p> <p>4 that you spoke with?</p> <p>5 A. It was -- I think that was Cynthia,</p> <p>6 yeah. It wasn't Anita. Yeah, I think it was</p> <p>7 Cynthia. Cindy or Cynthia.</p> <p>8 Q. Now, when you spoke with Jordan after</p> <p>9 the incident on the 22nd, did Jordan not tell</p> <p>10 you that she didn't know or didn't see what</p> <p>11 happened?</p> <p>12 A. No. She never said that because</p> <p>13 that's not true. She saw it. She said she saw</p> <p>14 it. That's not true. She never said that.</p> <p>15 Q. And did you ever tell Jordan that you</p> <p>16 wanted her to be a witness for you, and she told</p> <p>17 you that she didn't see it, she couldn't tell</p> <p>18 you -- she couldn't testify for you?</p> <p>19 A. That's not true. Ma'am, God know that</p> <p>20 is not true at all. That's not true.</p> <p>21 Q. So did you ever ask Jordan if she</p> <p>22 would be a witness for you?</p> <p>23 A. When I made it to work after the</p> <p>24 incident, I asked her did she tell her mama. I</p> <p>25 was, like, You need to talk to your mother. And</p>

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<p>1 she said, I don't know -- I don't know how to</p> <p>2 tell her. And she was also, like, afraid of</p> <p>3 losing her job.</p> <p>4 Q. Jordan was still in school; isn't that</p> <p>5 right?</p> <p>6 A. Correct.</p> <p>7 Q. So she was, like, a 16-year-old; isn't</p> <p>8 that right?</p> <p>9 A. She had just turned 17, I think. I</p> <p>10 know she's -- yeah, at that time she was, like</p> <p>11 -- I think she was -- she had just turned 17.</p> <p>12 Q. And did she tell you that she couldn't</p> <p>13 testify for you?</p> <p>14 A. No, ma'am, she didn't. She never said</p> <p>15 that.</p> <p>16 Q. But you asked her to testify for you;</p> <p>17 isn't that right?</p> <p>18 A. I never said "testify." I told her --</p> <p>19 the -- the only time we had that conversation is</p> <p>20 when she wrote down her name to find her on</p> <p>21 Facebook because she said she didn't have no</p> <p>22 phone. I told her that I might need her as a</p> <p>23 witness through the police, you know. That's</p> <p>24 when she told me, My name is not Jordan on</p> <p>25 Facebook. It's J Marie. That's when -- that's</p>	<p>1 that I -- it's in the --</p> <p>2 Q. Was it -- was before or after you were</p> <p>3 terminated from Sonic?</p> <p>4 A. It was after I was terminated because</p> <p>5 I was trying to give her time to contact her</p> <p>6 mama -- you know, to tell her mama.</p> <p>7 Q. And how did you contact her mom?</p> <p>8 A. Through Facebook.</p> <p>9 Q. And what did you tell her mom?</p> <p>10 A. That -- I asked her to call me ASAP,</p> <p>11 and I gave my number. But I never got a</p> <p>12 response.</p> <p>13 Q. If Jordan told people that you asked</p> <p>14 her to falsely testify that Eric Ellis came up</p> <p>15 behind you and humped you in the kitchen, would</p> <p>16 you have any reason to dispute --</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. -- that she did not view that or see</p> <p>19 it?</p> <p>20 A. Yes, ma'am, I would dispute that</p> <p>21 because -- well, all I know she told me she saw</p> <p>22 it. I never forced her to say anything. I</p> <p>23 wouldn't do nothing like that, like -- like, at</p> <p>24 the end of the day, like I said, God don't like</p> <p>25 ugly. And I would never do somebody like that</p>
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<p>1 how I knew her name.</p> <p>2 But after that, the next -- I only</p> <p>3 worked with her one time after that, and I asked</p> <p>4 her -- I waited till wasn't nobody around. I</p> <p>5 was back there washing my hands because Alesha</p> <p>6 kept looking, and I didn't really want Alesha to</p> <p>7 know it was her. But she -- seemed like she was</p> <p>8 shaky that day or something. I don't know.</p> <p>9 But I told her, I was like, Did you</p> <p>10 tell your mama? I asked her, I said, Did you</p> <p>11 tell your mama? And she was like, No, I don't</p> <p>12 know how to tell her. And I said, You need to,</p> <p>13 you know, talk to her and just sit her down and</p> <p>14 tell her, you know. And -- I don't know. But</p> <p>15 yeah.</p> <p>16 I contacted Jordan mama because I'm</p> <p>17 like, if she can't talk to her, maybe I could,</p> <p>18 you know, talk to her for her because the whole</p> <p>19 time I'm thinking in mind -- you know, I'm</p> <p>20 keeping in mind that she's a child, and I have</p> <p>21 girls myself. So I would want somebody to do</p> <p>22 the same for me, you know, for my girls.</p> <p>23 Q. When did you contact Jordan's mom?</p> <p>24 A. After I tried to contact her, she</p> <p>25 didn't respond. I don't know the exact date</p>	<p>1 or make something like that up against somebody</p> <p>2 because I have a brother, I have an uncle. I</p> <p>3 wouldn't want nobody to do that to them.</p> <p>4 Jordan told me that she saw what he</p> <p>5 did, and not only that, that he did the same</p> <p>6 thing to her. I know, she know, and God know.</p> <p>7 She said that.</p> <p>8 Q. Did you try to contact anyone else and</p> <p>9 get them to testify for you?</p> <p>10 A. I did try to contact Barbara, and I</p> <p>11 just told her to call me or something. But she</p> <p>12 -- I didn't get a response from her.</p> <p>13 Q. And how did you contact Barbara?</p> <p>14 A. I didn't get a response from her.</p> <p>15 Q. How did you try to contact her?</p> <p>16 A. Through Facebook. I'm sorry.</p> <p>17 Q. Did you try to contact anyone else?</p> <p>18 A. I contact the witness, like -- the</p> <p>19 witnesses in the statement on the recording.</p> <p>20 The people on the recording, I contacted them.</p> <p>21 Q. Okay. So what recordings did you --</p> <p>22 did you make?</p> <p>23 A. I recorded Paris. She told how --</p> <p>24 that's how I -- I didn't understand why Tay was</p> <p>25 that way towards me, and she revealed to me that</p>

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1 Tay and Eric had something going on.	1 Q. Have you contacted anyone else to be a
2 Q. What did they have going on?	2 witness or try to record any statements?
3 A. I don't know. She said that they	3 A. Not that I -- not that I can remember.
4 would go to the back, and they knew what they	4 I can't remember.
5 was doing. I seen them go to the back, but it	5 Q. Now, the charges that you filed
6 was boxes, you know. They was in the freezer.	6 against Eric Ellis were dismissed; isn't that
7 I don't know what they was doing. I'm not going	7 correct?
8 to speculate on that. But I just know that's	8 A. I actually called the police to get an
9 what she said.	9 update of when we go to court. I never went to
10 Q. What is Paris's last name?	10 court. I didn't even know he had already been
11 A. Purnell or something. Purnell.	11 to court and the judge threw it out because the
12 Q. And did you know Paris before you	12 police wrote on there stalking, and the judge --
13 worked at Sonic?	13 it was the wrong thing. It wasn't supposed to
14 A. The first time I worked at Sonic, she	14 be stalking. It was supposed to been
15 worked there.	15 harassment. They said they wasn't -- they
16 Q. Did she work there while you worked	16 couldn't put sexual harassment, so they just put
17 there the second time?	17 harassment, and -- they told me they was going
18 A. No, not the second time. But she told	18 to just put harassment. But come to find out
19 me that she had been going off and on. She had	19 the police put stalking on the paper, and it was
20 been going there, working, like, since the --	20 threw out.
21 since the time we worked together.	21 Q. So by the time you contacted the
22 Q. And why did you record the	22 police, it was after the time that it had been
23 conversation with her?	23 dismissed; is that right?
24 A. She didn't know. Nobody knew I was	24 A. Yes. I found out afterwards. And I
25 recording them. I recorded it to try to have	25 called the court and -- the lady at the
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1 some proof, you know, to see -- so people would	1 courthouse and found out that the judge threw it
2 know how he is.	2 out, and not only that, that the judge that
3 Q. Who else did you record?	3 threw it out was no longer there or something.
4 A. Brittany. I don't know her last name.	4 Q. Pardon?
5 I worked with her at Sonic the first time.	5 A. The judge who threw it out was no
6 Q. Did Brittany work with you the second	6 longer there, because I was trying to explain
7 time?	7 how I never got a court date or anything. They
8 A. No.	8 just threw it out because -- something about the
9 Q. And what did Brittany tell you?	9 police put stalking, and it was supposed to been
10 A. She told me that Eric told her that	10 harassment.
11 Alesha wanted him and Tay wanted him too.	11 Q. And if the court records indicate that
12 Q. And did Brittany tell you why Eric	12 it was dismissed on February 19th of 2020 --
13 told her that?	13 A. Uh-huh.
14 A. No. She didn't say.	14 Q. -- then you would have contacted them
15 Q. Okay. Who else did you record?	15 sometime after that date?
16 A. Tyler. Tyler Blanchard.	16 A. I contacted the police before that
17 Q. What's Tyler's last name?	17 date, and it was Officer Ealy, and he told me
18 A. Blanchard.	18 that I would -- someone would get in touch with
19 Q. And why did you record Tyler?	19 me. And then I found out -- after February, I
20 A. Because my brother came and told me	20 found out that they had threw it out. And I'm
21 that Tyler said he was there and he seen them do	21 like, I never even got a court date.
22 me wrong or whatever.	22 Q. Did you try to refile charges against
23 Q. Was Tyler an employee at Sonic?	23 him?
24 A. No. I didn't even know he was sitting	24 A. I didn't know I could.
25 in his car. He was a customer.	25 Q. Did you ask to?

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<p align="right">Page 190</p> <p>1 A. No, ma'am, I didn't, because I didn't</p> <p>2 know I could.</p> <p>3 Q. Why did you wait until March to file</p> <p>4 your charge of discrimination?</p> <p>5 A. No, I had filed it with the EEOC. I</p> <p>6 had already filed it with the EEOC, like, on the</p> <p>7 23rd. They didn't contact me -- they didn't</p> <p>8 start just getting to my case until, like,</p> <p>9 March. I had been filed it.</p> <p>10 MS. TAYLOR: Let's go ahead and mark</p> <p>11 this one as the next one.</p> <p>12</p> <p>13 - - - - -</p> <p>14 (Exhibit Number 12 marked.)</p> <p>15 BY MS. TAYLOR:</p> <p>16 Q. So is this the charge of</p> <p>17 discrimination that you filed?</p> <p>18 A. Yes.</p> <p>19 Q. At the time that you filed your charge</p> <p>20 of discrimination, had you already talked to an</p> <p>21 attorney about your case?</p> <p>22 A. Charge of discrimination. I can't</p> <p>23 remember. I really can't remember.</p> <p>24 Q. Did you review your charge of</p> <p>25 discrimination before you signed it?</p>	<p align="right">Page 192</p> <p>1 December 22nd; isn't that right?</p> <p>2 A. That's correct. I didn't mention</p> <p>3 that. It was, like, that night, that was way</p> <p>4 too far, like....</p> <p>5 Q. You don't -- you didn't mention in</p> <p>6 your charge of discrimination that he touched</p> <p>7 your hand; isn't that correct?</p> <p>8 A. Correct. I didn't mention that.</p> <p>9 That's correct. I didn't mention that. But it</p> <p>10 did happen. He did do it. It's just that night</p> <p>11 he went too far.</p> <p>12 Q. We'll go ahead and mark this as the</p> <p>13 next exhibit. It's the Complaint that you</p> <p>14 filed. This will be Exhibit 13.</p> <p>15</p> <p>16 - - - - -</p> <p>17 (Exhibit Number 13 marked.)</p> <p>18 BY MS. TAYLOR:</p> <p>19 Q. Actually, this is the First Amended</p> <p>20 Complaint. The initial Complaint was filed on</p> <p>21 November the 10th of 2020, and then this Amended</p> <p>22 Complaint was filed on December 28th of 2020.</p> <p>23 Now, did you review the Complaint</p> <p>24 before it was filed?</p> <p>25 A. I think I did. I....</p>
<p align="right">Page 191</p> <p>1 A. Yes, I called myself reviewing it.</p> <p>2 Q. And you marked in here that the</p> <p>3 earliest date that discrimination took place was</p> <p>4 on the 22nd of December; isn't that right?</p> <p>5 A. Yes. Discrimination as in they -- the</p> <p>6 options they had on my discrimination fell under</p> <p>7 the sexual harassment or something, how it went.</p> <p>8 Q. Okay. So you meant the earliest date</p> <p>9 the sexual harassment began was December 22nd;</p> <p>10 is that right?</p> <p>11 A. Correct.</p> <p>12 Q. And the latest was the 30th of</p> <p>13 December?</p> <p>14 A. Yes. When the discrimination took</p> <p>15 place.</p> <p>16 Q. And you indicate in your charge that</p> <p>17 you were sexually harassed and terminated on</p> <p>18 December 30th; isn't that right?</p> <p>19 A. Correct.</p> <p>20 Q. And then as far as the details of your</p> <p>21 harassment, you talk about the incident with</p> <p>22 Eric Ellis on December 22nd; isn't that correct?</p> <p>23 A. Uh-huh. Yes.</p> <p>24 Q. And you never talked about Eric Ellis</p> <p>25 saying anything inappropriate to you before</p>	<p align="right">Page 193</p> <p>1 Q. Do you remember reviewing the</p> <p>2 Complaint before it was filed?</p> <p>3 A. Yes. I think I -- I called myself</p> <p>4 reviewing everything. I may have skipped</p> <p>5 something, I don't know, but I did review it.</p> <p>6 Q. And in the Complaint you didn't -- you</p> <p>7 didn't mention that Mr. Ellis had allegedly said</p> <p>8 anything inappropriate to you before</p> <p>9 December 22nd; isn't that correct?</p> <p>10 A. I told --</p> <p>11 MR. STUTZMAN: Object to the form.</p> <p>12 You can answer. You can answer.</p> <p>13 A. In the complaint I told the lady on</p> <p>14 the phone -- when I spoke to the lady from EEOC</p> <p>15 on the phone I told her about -- it was -- I</p> <p>16 mainly told her about that night, what occurred</p> <p>17 that night, because all the other stuff, I felt</p> <p>18 like I could ignore that. But what he did that</p> <p>19 night was too far. It was -- it's traumatic,</p> <p>20 like....</p> <p>21 Q. But you agree that you didn't include</p> <p>22 that in your Complaint that you filed in federal</p> <p>23 court; isn't that right?</p> <p>24 A. Correct.</p> <p>25 Q. And in your Complaint you alleged</p>

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1 sexual harassment, retaliation, and then I guess	1 the question previously, so I think we're
2 vicarious liability, claiming assault?	2 okay.
3 A. Yes.	3 MR. STUTZMAN: Okay.
4 Q. And what do you base your allegations	4 BY MS. TAYLOR:
5 of assault on?	5 Q. Now, we talked earlier about Sonic's
6 MR. STUTZMAN: Object to the form.	6 policies and what is prohibited by Sonic's
7 You can answer if you understand it.	7 policy. You would agree that Sonic's policy
8 A. Could you rephrase it?	8 prohibits sexual harassment; isn't that correct?
9 BY MS. TAYLOR:	9 A. Correct.
10 Q. What are you claiming as the factual	10 Q. And it also prohibits threatening or
11 basis for your assault allegation?	11 violent conduct; isn't that correct?
12 A. What he did to me. Assault for the	12 A. Yes. Correct.
13 girls. They tried to fight me. Like,	13 Q. And so the actions undertaken or
14 regardless of what they -- they really tried to	14 allegedly undertaken by the girls on the 30th
15 fight me that night.	15 would be a violation of Sonic's policy; isn't
16 Q. So you allege that both what you claim	16 that correct?
17 Eric Ellis did on the 22nd and you claim that	17 A. Correct.
18 employees trying to fight you on the 30th as	18 Q. And then also the alleged actions that
19 your basis for assault?	19 Eric Ellis -- you claim that Eric Ellis took on
20 A. That's -- could you rephrase what	20 the 22nd of December would also be a violation
21 you're asking?	21 of Sonic's policy; isn't that correct?
22 Q. I just want to understand -- you're	22 A. Correct.
23 alleging that what Eric Ellis did on the 22nd	23 Q. Now, you allege that you have suffered
24 related to the trash can incident was assault?	24 emotional distress, loss of sleep, depression,
25 A. Yes.	25 weight and hair loss related to this claim. If
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1 Q. And you're also alleging --	1 you could, just tell me what the basis of that
2 A. That was harassment. That was sexual	2 is. Have you -- have you had hair loss?
3 assault to me. And what they did was, like,	3 A. Yes, ma'am.
4 assault because even though they didn't hit me,	4 Q. And have you sought any medical
5 if my husband hadn't have stepped in, ain't no	5 treatment related to your hair loss?
6 telling what they would have did to me.	6 A. I can't afford medical treatment. I
7 MR. STUTZMAN: I'm going to object to	7 -- I know that as long -- me being stressed out,
8 this line of questioning, just to the	8 like, it probably will continue; but it has
9 extent that you're -- she has to offer a	9 gotten better. But I still have flashbacks and
10 legal opinion. And she can testify as to	10 stuff. I still have times when I can't sleep at
11 what -- and I think she has testified on	11 night.
12 enough instances that would qualify for	12 Q. You still have where you can't sleep?
13 assault under the law; but to the extent	13 A. When I can't sleep.
14 that your question is asking for her to	14 Q. Have you ever had trouble sleeping
15 offer a legal definition of assault and to	15 before?
16 describe with particularity that, I'm going	16 A. No, ma'am, not at all.
17 to object to that.	17 Q. And you also claim that you have
18 MS. TAYLOR: Okay. So just to clarify	18 depression. What do you base that on? Have you
19 for the record, I was asking what the	19 ever sought treatment or medical treatment for
20 factual basis is for the allegation of	20 either sleeplessness or depression?
21 assault.	21 A. No. I couldn't afford it. I didn't.
22 MR. STUTZMAN: And to the extent you	22 I was -- I really didn't even want to -- I will
23 understand, you know, the legal definition	23 go stay in the house. I wouldn't go nowhere. I
24 of assault. You can plug in those facts.	24 felt like -- I felt like I was worthless, like
25 MS. TAYLOR: I think she's answered	25 didn't nobody even care. And for a while I

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<p align="right">Page 198</p> <p>1 didn't even want my husband to touch me. When</p> <p>2 he touched me I got pregnant.</p> <p>3 Q. Could you repeat that?</p> <p>4 A. For a while I didn't want my husband</p> <p>5 touching me. When he did touch me, I got</p> <p>6 pregnant with my son.</p> <p>7 Q. Has it impacted you in any other way?</p> <p>8 A. Well, I did gain my weight back.</p> <p>9 After I had my baby, I gained my weight back.</p> <p>10 Before -- like, at the store, I hate for a man</p> <p>11 to stand behind me too close at the store in a</p> <p>12 line or something. I don't like for men to</p> <p>13 stand behind me. I dropped some keys and there</p> <p>14 were some guys outside, and I did not want to</p> <p>15 bend over to pick up my keys up. That was like,</p> <p>16 toward the beginning, though.</p> <p>17 It getting better with time, but I</p> <p>18 still have the flashbacks of it, like it's a</p> <p>19 traumatic experience I wouldn't wish on nobody.</p> <p>20 Q. Do you have any other continuing</p> <p>21 problems related to your employment at Sonic?</p> <p>22 A. That's pretty much it. Me staying in</p> <p>23 the house, like, I really -- I don't like to go</p> <p>24 -- I'll go places; but at first it was very bad,</p> <p>25 like, I'll just stay in the house.</p>	<p align="right">Page 200</p> <p>1 A. I can't remember. I don't know. I --</p> <p>2 I can't remember. I really can't remember.</p> <p>3 Q. Well, let's do this, because I have to</p> <p>4 use the restroom, and this is the only</p> <p>5 opportunity that I have to speak with you today.</p> <p>6 So let's take a quick break so you can kind of</p> <p>7 think about that and see if there's anything</p> <p>8 else that you need to tell me, and then we can</p> <p>9 continue.</p> <p>10 A. Okay.</p> <p>11 (Brief recess.)</p> <p>12 BY MS. TAYLOR:</p> <p>13 Q. Ms. Haughton, you've had an</p> <p>14 opportunity to think about it?</p> <p>15 A. Yes. I can't -- I cannot think of</p> <p>16 anything.</p> <p>17 Q. Okay. And you have gone to a doctor</p> <p>18 since you left Sonic; isn't that correct?</p> <p>19 A. Correct.</p> <p>20 Q. And during your doctors' appointments,</p> <p>21 you didn't complain about depression or hair</p> <p>22 loss or weight loss or sleeplessness; isn't that</p> <p>23 right?</p> <p>24 A. Well, they knew about my weight, you</p> <p>25 know, because I wasn't really gaining weight and</p>
<p align="right">Page 199</p> <p>1 Christmas, I didn't even really spend</p> <p>2 time with my family. Like, in the house I spent</p> <p>3 time with my kids. And I would go in the</p> <p>4 bathroom and cry because I didn't want them to</p> <p>5 see me crying.</p> <p>6 MR. STUTZMAN: Do you need a break?</p> <p>7 THE WITNESS: I'm okay. I'm okay. My</p> <p>8 head hurting. I just want to get it over</p> <p>9 with.</p> <p>10 BY MS. TAYLOR:</p> <p>11 Q. Is there anything --</p> <p>12 A. I wouldn't eat. I couldn't eat.</p> <p>13 Q. And how long were you not able to eat?</p> <p>14 A. To this day sometimes I'm still like</p> <p>15 that, to this very day.</p> <p>16 Q. And how much do you weigh?</p> <p>17 A. Around 230.</p> <p>18 Q. How much did you weigh before -- or</p> <p>19 while you worked at Sonic?</p> <p>20 A. I weighed around 2 -- I weighed around</p> <p>21 248.</p> <p>22 Q. Is there anything that happened to you</p> <p>23 while you worked at Sonic that you're</p> <p>24 complaining about that we have not talked about</p> <p>25 today?</p>	<p align="right">Page 201</p> <p>1 they told me not to worry about it because the</p> <p>2 baby was still gaining weight. But I told them</p> <p>3 I had trouble sleeping. They said -- but I</p> <p>4 never mentioned anything about the case because</p> <p>5 I didn't talk about it, you know. I didn't tell</p> <p>6 people about it.</p> <p>7 Q. So in your medical records in July of</p> <p>8 2020, which would have been six months after --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- this incident in December of 2019,</p> <p>11 you didn't complain about any depression or hair</p> <p>12 loss or sleeplessness or weight loss; isn't that</p> <p>13 right?</p> <p>14 A. Well, the weight loss -- I didn't tell</p> <p>15 them what was going on, no. And I was like, I'm</p> <p>16 not gaining any weight, like I -- I can't eat,</p> <p>17 you know. And they was like, Well, the baby --</p> <p>18 I'm like, I eat but not like I should. You</p> <p>19 know, when I was pregnant, I was eating, but not</p> <p>20 like I should. I got my appetite back a little,</p> <p>21 but it wasn't where it should have been, like it</p> <p>22 used to be.</p> <p>23 And no, I didn't -- I didn't say</p> <p>24 anything about why, you know. I just told them</p> <p>25 that I had trouble sleeping. And they was --</p>

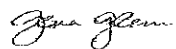
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1 the doctor said, Once the baby come you'll sleep	1 Patricia is right here.
2 better. And I just didn't say nothing. So	2 Q. I think you're on page 132. If you
3 that's correct. I didn't say nothing.	3 could go to 133.
4 Q. And you were asking if you were having	4 A. Oh, I'm sorry. Patricia -- then
5 any trouble with depression, and you denied	5 Patricia said, We must follow through with our
6 depression; isn't that right?	6 plan and smile, said Lola. Lola walk in the
7 A. If I had trouble before?	7 hall and got the broom and stuck the cell phone
8 Q. You were asked at the time of your	8 under her shirt. She walked back into the room,
9 visit in July of 2020 whether you had any	9 fully running like she had a gun. Patricia went
10 trouble with depression, and you denied that;	10 and got some Vaseline and gloves. Oh, no, this
11 isn't that right?	11 some bull -- can I say the word?
12 A. That's correct. That's embarrassing.	12 Q. (Nods head up and down.)
13 Like, I told them that I didn't. Like, I --	13 A. -- bullshit, yelled Vernon. Patricia
14 when I was -- I couldn't tell them about the	14 put the gloves on her hand and put Vaseline on
15 case. You get what I'm saying? I couldn't tell	15 top of her fingers on one of her hands. She
16 them what was going on, why. So no, I didn't	16 told Vernon, If you move, Lola will shoot you.
17 tell them.	17 You determine if you live or -- or die.
18 Q. And why couldn't you tell them about	18 But that's only entertainment
19 your case?	19 purposes. That was before I got --
20 A. I just didn't talk about it. I didn't	20 Q. Is that -- oh, if you could continue
21 -- I didn't talk about it. I didn't tell them.	21 on page 134, and then -- and then you can
22 You're right, I didn't tell them. Maybe I	22 provide --
23 should have, but I didn't.	23 A. I'm sorry.
24 Q. And your testimony under oath is that	24 Q. -- some context.
25 you had sleeplessness, depression, and hair loss	25 A. Vernon was frowned up with his lips
Page 203	Page 205
1 and weight loss due to a three-second incident	1 poked out. Vernon was already on his knees in
2 where your manager allegedly came up and humped	2 handcuffs, so Patricia told him to bend over.
3 you from behind; is that correct?	3 He said, It's hard. Lola made the click sound
4 A. But you have to understand that my	4 with her mouth. Vernon said, Oh, God, please
5 husband the only man I know. You know, that's	5 don't, and he started crying. Snot started
6 the only man I know. So for another man to	6 flowing out his nose. He looked a mess.
7 violate you like that....	7 Continue on some more?
8 Q. This is your book; isn't that right?	8 Q. Yes, please.
9 A. Correct. Yes, it is.	9 A. Vernon leaned forward, and Patricia
10 Q. Let's go ahead -- and I have a copy of	10 rubbed lots of Vaseline on his buttohole. Then
11 your book. Let's go ahead and put that as an	11 she stepped to the side. Lola shoved the broom
12 exhibit.	12 so far up Vernon's ass he said, It hurt. Stop.
13	13 It -- don't kill me. Please stop.
14	14 Lola said, I don't give a damn. You
15 (Exhibit Number 14 marked.)	15 hurt my daughter, and I'm going to hurt your
16 BY MS. TAYLOR:	16 ass.
17 Q. Could you go to page 133 of your book?	17 Patricia started laughing, saying, Get
18 A. 133.	18 it -- your ass. Vernon said, Please stop.
19 Q. 133?	19 Lola said, You had me bent out of my
20 A. Okay. Yes.	20 mind, and now I got you bent on your ass.
21 Q. And could you begin reading on the	21 Continue on some more?
22 first paragraph of page 133?	22 Q. No. That's -- and so your sworn
23 A. Hello. Lola answered, Who is this,	23 deposition testimony is -- is that you were so
24 and where is Patricia? Rose, is this you?	24 traumatized by Eric Ellis, quote, humping you
25 Baby, I love you and miss you. I'm so sorry.	25 from behind for three seconds at work that

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<p>1 you've been depressed, sleepless, lost weight 2 and lost hair? 3 A. That's my sworn testimony because I 4 really was -- and those around me know, because 5 this book was just entertainment. You know, 6 after I wrote the first book, they loved it. 7 They wanted more. They want -- I actually have 8 people that love my writing. And I -- yes, I 9 wrote this book, but I left it alone. I don't 10 deal with this anymore. I haven't -- I don't 11 even deal with this. 12 Q. Now, you would agree that at Sonic, if 13 an employee uses profanity and yells and 14 screaming -- screams in front of customers, that 15 Sonic would be able to terminate the employee 16 for engaging in disrespectful and rude and 17 obscene conduct in front of customers; isn't 18 that right? 19 A. She cursed at me. All the curses they 20 did, I -- she called me a dysfunctional bitch, 21 and I called her -- I told her it takes one to 22 know one. It takes a dysfunctional bitch to 23 know a dysfunctional bitch. But they had been 24 doing all that, calling me -- that's the only 25 time, like, I said something to her.</p>	<p>1 call or text my husband so he'll be -- 2 MR. STUTZMAN: Yeah, you're finished. 3 THE WITNESS: Okay. 4 MS. TAYLOR: You're fine. You're 5 released as far as I'm concerned. 6 (Deposition concluded at 3:12 p.m.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 I was outside. You know, I was at the 2 car. She followed me outside. She was outside 3 too. Why not terminate both of us? Why not -- 4 why just me? 5 Q. So, Ms. Haughton, but you would agree 6 that Sonic could terminate an employee who yells 7 profanity in front of customers; isn't that 8 correct? 9 A. Correct. 10 Q. And it would be a violation of that 11 policy; isn't that right? 12 A. That's correct. 13 MS. TAYLOR: Okay. Those are all the 14 questions I have. 15 MR. STUTZMAN: I don't have any. 16 MS. TAYLOR: Thank you, Ms. Haughton. 17 THE WITNESS: Oh, you're welcome. 18 COURT REPORTER: Do you want her to 19 read and sign? 20 MR. STUTZMAN: Yes, please. 21 COURT REPORTER: Do you need a copy? 22 MR. STUTZMAN: Yeah. You can send it 23 to Craig or myself either one. That's 24 fine. 25 THE WITNESS: Can I go ahead on and</p>	<p align="center">C E R T I F I C A T E</p> <p>1 STATE OF MISSISSIPPI) 2 COUNTY OF MONROE) 3 DEPOSITION OF SHEARSON GABRIELLE HAUGHTON SIMS 4 I, Gena Mattison Glenn, CSR 1568, a 5 Notary Public within and for the aforesaid 6 county and state, duly commissioned and acting, 7 hereby certify that the foregoing proceedings 8 were taken before me at the time and place set 9 forth above; that the statements were written by 10 me in machine shorthand; that the statements 11 were thereafter transcribed by me, or under my 12 direct supervision, by means of computer-aided 13 transcription, constituting a true and correct 14 transcription of the proceedings; and that the 15 witness was by me duly sworn to testify to the 16 truth and nothing but the truth in this cause. 17 I further certify that I am not a 18 relative or employee of any of the parties, or 19 of counsel, nor am I financially or otherwise 20 interested in the outcome of this action. 21 Witness my hand and seal on this 26th day 22 of November, 2021. 23  24 My Commission Expires: CSR 1568 25 July 19, 2023 Notary Public</p>

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<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE NORTHERN DISTRICT OF MISSISSIPPI</p> <p>3 ABERDEEN DIVISION</p> <p>4 SHEARSON HAUGHTON PLAINTIFF</p> <p>5 VS. CIVIL ACTION NO. 1:20-cv-241-SA-DAS</p> <p>6 JA-CO FOODS, INC. d/b/a SONIC DRIVE-INS</p> <p>7 DEFENDANT</p> <p>8 CERTIFICATE</p> <p>9 I, Shearson Gabrielle Haughton Sims, have</p> <p>10 read the foregoing pages, 1-209, of the</p> <p>11 transcript of my deposition given on November</p> <p>12 15, 2021, and it is true, correct and complete</p> <p>13 to the best of my knowledge, recollection and</p> <p>14 belief except for the list of corrections, if</p> <p>15 any, attached on a separate sheet herewith.</p> <p>16 Witness my hand, this the _____ day of</p> <p>17 _____, 2021.</p> <p>18 _____</p> <p>19 Shearson Gabrielle Haughton Sims</p> <p>20 CERTIFICATE</p> <p>21 Subscribed and sworn to before me, this</p> <p>22 the _____ day of _____, 2021.</p> <p>23 _____</p> <p>24 Notary Public in and for the</p> <p>25 County of _____</p> <p>State of Mississippi</p> <p>My Commission Expires: _____</p>	
<p>1 Page 211</p> <p>2</p> <p>3 CORRECTION LIST</p> <p>4 Shearson Haughton vs. Sonic Drive-In</p> <p>5 No. 1:20-cv-241-SA-DAS</p> <p>6</p> <p>7 CAPTION</p> <p>8 November 15, 2021</p> <p>9 Shearson Gabrielle Haughton Sims</p> <p>10 DATE OF DEPOSITION DEPONENT'S NAME</p> <p>11 PAGE LINE CORRECTION REASON</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 _____</p> <p>25 Shearson Gabrielle Haughton Sims</p>	